(3)

Recd 28th March 65 Dupl. A.

Legation of the United States. Canton 12th January 1865

No. 1.

Hon: W. L. Marcy
Secretary of State

Sir

I have the honor to transmit the Department the correspondence of this Legation (as per appended schedule) since the departure of Mr. Mc. Lane for Europe on the 12th ultimo.

The state of affairs at this city and the consequents pressing duties of each day preclude my addressing you so fully by this mail as I desire.

The absence from this port of the United States Consul, and the disability of a Vice Consul to exercise judicial functions, augments the responsibilities devolving upon the Legation. Several criminal cases having already demanded attention to which will be duly reported hereafter.

In the absence of the Commissioner by my original instructions I am, ex officio, Charge d' Affaires ad interim, and as such am "vested with and exercising the principal diplomatic functions in China" (Law of 1848 Sec. 23.) Owing to the critical state of our present relations with China Mr. Mc. Lane deemed it expedient to appoint me,

temporarily acting Commissioner also, and to exercise the judicial power conferred upon the Commissioner (enclosure no 1) But the question has arisen as to that power, some arguing that it is simply Appellate. That the Commissioner possesses such is unquestionable and according to my construction the 2d Article gives him also original jurisdiction, and to Mr. McLane must have understood it in the Drinker case, and when on leaving he instructed me to arrest and try the seamen in the case of abduction of the first officer of the American Bark "Science".

I respectfully request the early decision & instructions of the State Department upon the subject and in the mean time shall follow the instructions of Mr. McLane and the above constructions of the law, but in all cases provided for by the 18th Sec. of the act of 1848. I shall be careful to conform my action to the latter clauses of the 16th Sec. of the same act.

In this connection I must earnestly solicit your attention to a subject repeatedly referred to the Department, the importation necessity of suitable provission being authorized for the establishment of a prison at Canton & Shanghai and at no distant day at other of the five ports. If the number of Criminals goes on increasing, no alternative

will remain but to avail ourselves of a British jail either at Whampoa or Hongkong.—

The accompanying correspondence with the Imperial Commissioner and naval authorities, and other documents, will inform you of the present State & immediate prospects of Canton. The condition of Shanghae I regret to learn is not improved. A scrupulous adherance to strict and impartial Neutrality in the domestic troubles of China has guided me, as well as the letter of the law, in the measures adopted in regard to United States Citizens in the Rebel service, and I am happy to know that the warning has been promptly heeded. Copies of translations of two notes addressed by one of the Rebel Chiefs to H. B. M Consul herewith inclosed may repay perusal. A correspondence between R. J. Sturgis Esq M.C. Vice Consul & Commodore Abbot has recently occurred and one to be deprecated, but I trust it will proceed no further. That correspondence in due course will go forward to the Secretary of the Navy. Commodore Abbot seems disposed to discharge his duty & his whole duty in these perilous times, but of that he rightly claims to be the judge. Thus far our views and general policy coincide

and our cooperation for the public good is harmonious & agreeable.

With sentiments of high respect. I have the honor to remain

Sir

Your very Obedient Servant

Peter Parker

No 1 Exhibit

Schedule. Despatch No. 12 dated January 1855

1	H. E. Robt M. McLane to P. Parker	Dec	9	1854
	Shanghai &c			
2	Sir John Bowring to Mr McLane	Nov	15	1854
3	Mr McLane to R. B. Murphy	"	27	"
4	A. H. Bancroft to Mr McLane	Dec	5	"
5	Gov. Keih to R. M. M.	"	11	"
6	Mr Murphy to Mr McL.	"	11	"
7	Mr McL. to Mr murphy	"	9	"
8	P. Parker to Do	"	14	"
9	Do to J. H. Hyatt	"	14	"
10	Do to B. Jones	"	15	"
11	Do to Gov. Keih	Jany	5	1855
12	Do to Mr Murphy	"	5	"
13	Gov. Keih to Mr McLane	Dec	29	1854
	Correspondence with Supt Com^rs			
14	P. Parker to H. E. Yu	Dec	23	1854
15	Yu to P. Parker	"	26	"
16	P. Parker to Yu	"	26	"
17	Do Do	"	28	"
	Correspondence w Naval Authorities			
18	Sir James Sterling & com. Abbot to Sir J. B. & P. P.	Dec	22	"
19	P. Parker to com. Abbot	"	31	"
20	Com. Abbot to P. Parker	"	31	"
21	P. Parker to com. Abbot	Jany	3	1855
22	Do Do	"	11	"

23	Com: Abbot to P. P.	Jan	6	1855
24	D° D°	"	"	"
25	P. P. to com: Abbot	"	"	"
26	D° D°	"	11	"
	Mr Marshal Wharnpoa			
27	J. P. Cook to P. Parker	"	7	"
28	P. P. to J. P. Cook	"	9	"
	British Authorities			
29	P. Parker to Sir John Bowring	Dec	29	1854
30	Sir John B. to P. Parker "	Jan	6	1855
	Correspondence with Rebels			
31	P. P. to Americans in Rebel Service	Jan	11	1855
32	D° to Rebel Chief	"	11	"
33	Sir J. Sterling & com: Abbot to Rebel Chief	"	9	"
34	Rebel Chiefs Reply			
	Miscellaneous			
35	Marriage Certificate Rev G. F Preston	Dec	19	1854
36	P. Parker's Circular to Merchants re	Jan	11	1855
37	Rebel Chief to H. B. M Consul	Dec	1	1854
38	D° D°	Dec	6	"

Exhibit 1. No. 1. Despatches.

Canton 9th December 1844.

To/

The Hon: Peter Parker

Dear Sir

Being obliged by indisposition to withdraw from my post, and the distance from the United States rendering it impracticable to communicate with Washington, and to receive the instructions of the President relative to the disposition of the Legation I hereby request & authorize you to act as commissioner as well as charge d'affaires of the government of the United States in China until the intentions of the President in regard to the discharge of the duties of the Legation, in my absence, shall be made known.

The power of appointing, as occasion may require, a temporary successor, is understood to appertain under the general law of nations to the office of a diplomatic agent and is habitually exercised by those of the United States as was the case with H. E. A. H. Everett in 1845 when he appointed Commodore James Biddle to act as commissioner &c which act received the sanction of the government at Washington. I have no doubt that the disposition I make of the public trust confided to me in transferring it temporarily to you will be fully sanctioned & approved by the President. Thus charged with and exercising the principal Diplomatic functions of the United

States in China, you will also exercise the judicial power conferred upon the Commissioner of the United States under the provisions of the act of Congress approved 11th Augt 1848.

I have all confidence that the trust thus confided to you will be discharged with fidelity & intelligence; & I will add to this letter of delegation, such instructions as I think necessary to advise you on the points that have engaged my attention, and have not been officially disposed of.

I am very respectfully
Your Obedient Servant
(Signed) Robert M. Mc. Lane.

Exhibit. 2. Desp. No. 1

Yang-tse-kiang River
Her Majesty's Steamer "Rattler"
15th November 1854.

No. 117

Sir,

I cannot close my official communications in connection with our expedition to the Gulf of Pe-cheli, without conveying to Your Excellency my warmest thanks for the kind and cordial cooperation I have experienced from you during the whole course of our negotiations. May I request also that you will communicate to Dr Parker, Captain McCluney, Captain Stevens and the Officers of the United States Navy who have accompanied you, my deep sense of the value and importance of the ready assistance which they have rendered on every occasion. I am desirous specially to notice the benefits conferred by the United States Steamer "John Hancock," which was so actively employed during the whole period of our stay in the vicinity of the Tien-tsin river; and to thank Lieut. Carter whose many attentions not only greatly assisted the objects, but added so materially to the comfort, of the gentlemen charged with the arrangements on shore

It will always be to me a subject of congratulation that no circumstance whatever occurred in the whole of our intercourse which did

not

not tend to serve and to strengthen that harmony of purpose, and community of action, which it was a pleasure to welcome and a duty to reciprocate.

I have the honor to be
Sir
Your Excellency's
Most Obedient
Humble Servant
(signed) John Bowring

To the
Hon R M McLane
&c &c &c

Exhibit 3 - Desp. No. 1.

U.S. Legation
Shanghai 17th Nov 1854

Sir,

I wish that application may be made to the Local Authorities of Shanghai for the sanction of these Authorities, to the purchase of Rice within the Foreign Settlement by American Merchants

By the existing Treaty, rice may be imported by American Merchants from Foreign Ports and there sold, to any person without limitation or restraint.

This privilege may be extended with the local Authorities, to include the purchase and resale of domestic rice.

The American Merchant seeking such a privilege, may file a security at the Consulate of the United States that this commerce shall be conducted under the regulations that may be prescribed by the Local Authorities of China, and it would be well to connect with the license to engage in such commerce, the privilege of transporting such Merchandise from Port to Port.

The British Consul at Amoy has already secured such a privilege for British subjects from the Local Authorities at Amoy.

Mr W.E. Ayres an American Citizen has

made

made application to me for such a privilege, and I wish you under my instructions, to make known to the Local Authorities, that I take an interest in the matter, and recommend the subject to their favorable consideration.

With great respect &c

(signed) Robert M McLane

To /

Robert C. Murphy Esq

U. S. Consul

Shanghai.

Exhibit 4. Depn. No. 1.

Copy.

Consulate U. S. America
Canton China December 5th 1854

Sir.

I am glad to hear of your safe return from the North.

It appears by a despatch received from the Secretary of State under date of June 20th 1854 that a consul cannot delegate to another the "judicial authority" and this Port is consequently left without any person to discharge such a duty.

The only cases now awaiting decision are the disposition of the eight criminals arrested by Mr Cook U. S. Marshal on complaint of the mate of Bark "Science" per copies of correspondence enclosed, and a claim of Gouqua v. Wetmore & C.

It was recently reported that an American citizen was enlisting men raising munitions of war to engage in the domestic troubles now disturbing the country on learning which report I immediately addressed the party informing of our nations neutrality

To His Excellency Hon. Robt M. McLane
Commissioner U. S. A. to China
Canton.

and that the government would not countenance such interference. The party replied to me that having accepted a commission under the Imperial Govt he

was fully aware of his responsibility which he might incur thereby.

No hostilities actually took place during perhaps the person not having received his commission but by a more recent report I learn that the commission has been actually received and the Expedition is now being pursued.

The above form all matters worthy of note since your departure.

I have the honor to remain.

Very respectfully
Your Obedient Servant
(signed) A. H. Bancroft

Acting U. S. Vice Consul

Exhibit 5. Supp. No. 1.

Governor Keih to Mr Mc Lane

4 Dec 1854

Sir,

In by gonetimes your distinguished Flag has often come and gone upon the river of Shanghai, and at every visit we have held personal interviews on public affairs, affording me opportunities of plucking (enjoying) your sweet fragrance, which I remember with extreme delight.

We have now providentially been separated some ten days, and though I am far away I think of you as having had a peaceful passage to Canton, and every Zephyr excites my hopes (of seeing you again) and here in the distance I think of you very much.

I the Governor charged with the Military defences of Shanghae, am in constand difficulties (literally have a stony path) as at the first.

Every thing pertaining to the Yang King and San-Inow-Kok Bridges, the thorroughfare of the rebels, I am indebted to France and your Hon: Nation, for appointing marines to aid in managing, and constructing a Wall to cut off that communication which is now completed, but in the vicinity of the Chinkeu Wooden Bridges ("Taylors") it is still necessary to make

another

another brick wall.

"The said place being within the English limits, the Consul Alcock ought, in concert with his naval Authorities, to appoint Marines to guard it in order that another wall may be built there. Yesterday I notified the Consul Alcock, and think he will certainly be able to follow out the agreement made

"The discussions commenced by Your Excellency for lending me your assistance is altogether due to Your Excellency's great desire that our Amity and friendship may be perpetual.

I avail myself of this opportunity to write you and with compliments remain &c

Imperial Camp Shanghae
10th M 15th day. (4th Dec 1854)

"To/
His Excellency Robt M McLane
Commissioner and Minister plenipotentiary
of the United States of America to China

A faithful translation
(Signed/ Peter Parker

Exhibit 6 Dept. No. 1.

United States Consulate
Shanghai Dec 4th 1854

To His Excellency
Robt. M. McLane
U. S. Commissioner etc

Sir,

The Wall is finished, the North Gate Bridge is closed, and the Rebels have advanced their line of defences so as to establish a complete connection by means of three Batteries between Taylors House and the City wall. H. E. Kish has made a number of unreasonable demands on me since you left, but I shall continue to profit by the hint you gave me on the Powhatan and stand firmly on the treaty.

On the 30th Inst the Merchants have agreed to pay the award into the Consular Count. but I learn there is in circulation $250.000 in Duty Recpts. and that some time ago they were sold at 50 per cent discount. By the terms of the award I suppose you do not intend that all kinds of recpts are to be taken. Please specify to me by return mail what kind of recpts you consider as within the terms of the award.

Very Respectfully
Your Excellencys
Most obt Servt
R. C. Murphy
Consul U. S. A.

Exhibit 7. Deft. No. 1.

U. S. Legation

Canton 9 Decr 1854

Sir,

Your note of the 4th inst is at hand -

The Duty Receipts for notes paid by the Merchants concerned in the award, either at the interior Custom Houses, or at Shanghai, between 7th Sept 1853 and 12th July 1854. are to be paid as Cash to the Superintendent of Customs in part payment of the award and none other.

Enclosed you have a decree submitted for your consideration and approval, or for such reasons of disapproval as it may be your judgement to endorse thereon.

Please publish the same at your own Consulate and return to this Legation the Copy you endorse.

With respect

Your obt Servt

(Signed) R. M. McLane

To

Robert C Murphy Esqr

U. S. Consul

Shanghai

1 Exhibit 8. Depn. No. 1.

Legation of the United States
Canton 14th Dec 1894.

Dear Sir,

His Excellency Robt. McLane,
as you will have anticipated, embarked for
Europe by the Steamer of the 12th inst, having
confided the duties of this Legation to me
as acting Commissioner and acting Chargé
de affaires in his absence.

In accordance with His Excellency's wishes
I now enclose you two copies of "Notifica-
tions & Regulations &c" of the 5th inst, with
request that you will sign your assent
to one copy of the Regulations" conformably
to the 5th Sec. of Act of Congress — approved
14th August 1848 & return the same to me
by earliest opportunity.

Please also hand with you by re-
turn of assent, a copy of the Decree enacted
by H.E. after his return to Shanghai from
Peking, if the same has been printed,
several copies will be acceptable. I am
unable to specify distinctly the terms of
that decree, but think it relates to the
subject of detachments.

I shall be obliged by your communicating

to

to this Legation whatever of a public character may transpire at your port.

With my best regards to Mrs Humphrey & the Sponner family, and also to Capt Pope, and the family,

I remain, dear Sir,

Very Respectfully
your Obedient Servant

(Peter Parker)

R. C. Humphrey Esq
United States Consul
Hong Kong

Exhibit 9 Dept. No. 1.

Legation of the United States.

Canton 14th Dec, 1854.

Dear Sir,

In accordance with the direction of His Excellency Robt M. McLane I transmit you herewith two copies of H.C. "Regulations" and "Regulations" of the 5th inst, with a request that you will sign your assent to one copy of the "Regulations" as provided by the 5th Sec. of Act of Congress approved the 11th Aug, 1848. and return the same to this Legation by earliest opportunity.

His Excellency embarked for Europe on the 12th inst, having confided the duties of the Legation to me as acting Commissioner & acting Chargé de affaires, during his absence.

I have the honor to remain

Dear Sir,

I am Respectfully

Your Most Obedt Servant

(Peter Parker)

Hon Hunt Wyatt Esq

United States Consul

Amoy

1 Exhibit 10. Dep. 80.1

Legation of the United States,
Canton 14th Dec. 1854

Dear Sir,

His Excellency Robt M. Mc Lane left for Europe by the Steamer of the 12th inst, having confided to me the duties of this Legation, as Acting Commissioner, and Acting Chargé d'Affaires.

Herewith I have the honor to transmit you to forward a despatch of Mr Mc Lane of the 5th inst, to H.E. the Vice Roy Yeang of the Min & Chih provinces, relative to procuring sites by American Merchants at Tih Chow.

A press copy of the Original and a Chinese copy of a despatch of the Imperial Commissioner Yeh of the 17th May last, recognising the newly appointed U.S. Consuls for Amoy, Tih Chow & Ningpo, & Shanghai, are enclosed for your information, & the request of Mr Mc Lane. Also duplicate copies of "Notification "Regulations" &c, of 5th Dec, 1854, with the request that you will sign your assent to one copy of the "Regulations" conformably to the 4th Sec. of the Act of Congress, approved 11th August 1848, and return the same to me at your earliest convenience.

I shall be happy to learn from you that the

Consul

appeal to the Vice Roy in behalf of the difficulties of our Merchants is successful, and shall be obliged to you, by your communicating to the Legation, from time to time, whatever of public interest may occur at your post.

I am sorry to say that in the South of China the political aspect of affairs is assuming a more & more serious character, but we hope to be able to maintain our neutrality except so far as that may be modified by Treaty.

With my best regards to Mrs Jones,

I remain, Dear Sir,

Very Respectfully.

Your Obt Servt

Caleb Jones Esq
United States Consul
Fuh Chow

Exhibit 11. Deft. No. 1.

Legation of the United States
Canton 5th January 1855

Dear Sir

Your esteemed favor of the 4th of December addressed to H.E. A. M. McLane, Came to hand just as H.E. was about to embark for Europe on the 12th ult. and too late to acknowledge. From Singapore under date of 17th December I have received a letter from H.E. in which he remembers your Excellency as an esteemed friend and bids me acknowledge your letter. It is an agreeable duty thus imposed upon me and I have no hesitation in assuring Your Excellency that all your friendly sentiments are fully appreciated and reciprocated. His Excellency has temporarily at least left your honorable country but not forgotten it. His letter to me is full of deep interest for the welfare of our two Governments and all His Excellency's acts and words during his mission have evinced the same. He has learned with regret that "Your Excellency charged with the military defences of Shanghai has still a strong party to travel as at the first," and will be delighted when all difficulties are removed and your Excellency's most ardent wishes for the Welfare of the Empire are realized.

His Excellency reiterates his deep sense of the importance of rigid adherence to the Treaty both

on the part of his own country and that of China, in which sentiment I the acting Commissioner also most heartily concur.

From the tenor of the last intelligence from Shanghai under date of the 23rd December I am most anxious to hear again, and trust that before long tranquility and order will be fully restored.

In the South of China I hear that Shan Sing foo has been recaptured, and that some advantages have been gained at Fushshan, but still the troubles are numerous and great.

A translation of your Excellency's letter will be sent forward to W. W.c Lane by the outgoing mail.

With the compliments of the Season. I remain

Sir

Your Excellency's

Most obedient Servant.

Peter Parker.

Acting Commissioner

U. S. A. China

H. E.

Kieh Governor of Kwangtoo.

Exhib. 12. Dept. No. 1.

Legation of the United States
Canton 5th January 1835.

Dear Sir.

A complimentary letter from Governor Kish was received by Mr McCune just on the eve of his embarkation, the contents of which he was not fully aware, when he instructed me to reply to the same and to enclose a copy of my answer to you and to Captain Pope, thinking it might be of a public nature in which you would both be interested.

Although of a private character, I enclose a copy of the original, for your perusal, and will be obliged by your handing the same to Captain Pope. I am anxiously waiting the arrival of the Steamer from Shanghae when I hope to hear from you if any thing of a public nature affecting American interest has occurred.

With the compliments of the season to Mrs Murphy and yourself I remain

Dear Sir

Respectfully
your obedient Servant
Peter Parker

E. C. Murphy Esqre
U. S. Consul

Shanghae

1 Exhib. 13. Desh. No 1.

Gov. Keh &c &c to Mr Bee Lane.

29th Dec 1854.

Since I went on board your Steamer to take leave of you, I have already addressed you a short note respectfully inquiring after your health which I trust has already been presented for your favorable glance.

Regarding the stopping of supplies to the rebels within the city of ShangHae, on a former occasion, while H.E. was at ShangHae, we agreed distinctly that a wall should be built in the vicinity of the San-ma-tow Rock bridge so as to stop the passage over the bridge, all of which, the Naval officers of your Hon. Country have obeyed and managed accordingly. by this your Excellency's excellent idea of acting justly and uprightly is manifested and I the Governor feel exceedingly gratified and obliged.

The great desideratum of the present time within the boundary of your Hon. Country is, to protect & guard it strongly so that there will be no place there which the rebels can privately transport things, and then in a few days they will be reduced to extremities.

Bond

But in regard to the wall along the British boundary, when it was more than half built, suddenly it was destroyed by the rebels; & up to the present time it has not been rebuilt, inasmuch as the British Naval Authorities are unwilling to appoint Marines for the protection of the work.

Thus it is manifest that in building the wall it is also necessary to depend upon the troops to defend it in order to preserve it from being destroyed by the rebels, all of which is a subject of mutual concern. Therefore I still hope that H. E. will strongly enjoin it upon the Naval officers of your Hon. Nation at Shanghai to preserve the wall permanently, so that your Excellency's excellent idea of preserving and fulfilling (this promise) from the beginning to the end may not be lost and in vain, which I most anxiously expect from your strong command.

Now the British Consul Alcock having failed to protect the wall, I have therefore ordered my troops to proceed to the vicinity of the Chin Kiu wooden bridge, and am endeavoring to stop the supplies myself. But as the said place is near the boundary

of

of your Hon: Country, and while my troops & heavy must pass & repass over the plank bridge, I also desire your Excellency will write to the Naval officers, that they may be equally on the alert so as to avoid the germs of trouble, which will be most fortunate for me.

I address you this special note, and present my compliments & respects.

At your convenience please favor me with a reply.

11th Moon 11th Day.

(29th Dec 1854)

Faithfully Yours

(J. Parkes)

Exhibit 14. Dept. No. 1.

Legation of the United States

Canton 23 December 1854

Sir,

The undersigned acting Commissioner and Chargé d'affaires of the United States of America to China, has the honor to address your Excellency, and conformably to the intimation of His Excellency R. M. M'Lane Minister Plenipotentiary of the United States under date of the 8th December to transmit herewith for your Excellency's information the enclosed memorandum of the arrangements, which under the rights guaranteed by Treaties, the Naval Authorities of Great Britain and the United States, have determined upon for the preservation of the Foreign Residences, and other interests affecting both the Chinese and Foreign Governments and people, and the Undersigned has to request the Cooperation of Your Excellency in order to carry them into effect;

A copy of these arrangements will be communicated to the different rebel chiefs and obedience to them will be strictly inforced upon all parties.

The Consular authorities will be instructed to cooperate with the Chinese local authorities whom Your Excellency may direct to act in the joint execution of that important measure.

The Undersigned has the honor to renew to Your Excellency the assurance of his high regard, and remains

Your Excellency's
Obedient Servant
(Signed) Peter Parker

To
His Excellency
Yeh
Imperial High Commissioner &c

(L.S.)

2 Exhibit 14, Depp. No. 1.

Yu Hereditary Marquis of the first rank of the 5th order of Nobility: Governor General of the Leang Kwang, ex officio, a President of the board of War; a vice guardian of the Heir apparent, and Imperial Commissioner of the Ta Tsing Empire. has the honor to acknowledge the receipt of the Hon acting (vice) Commissioner's dispatch of the 23d Inst. enclosing a paper containing the Protective Regulations, (proposed by the British & United States Naval authorities) which I have perused and fully understand.

I have examined & find, that on account of the Rebels having created disturbances on the outer rims of the Province of Canton. I the minister detailed a Naval & Military force to guard against & exterminate them, and subsequently in consequence of their near approach to the Factories of your Hon nation. I on a former occasion wrote the Commissioner McLane. to appoint troops to come hither & assist in the protection of the place, which is on record.

I have now perused the regulations designed for the protection & tranquility of the Merchants & people of the different nations, & your dispatch accompanying - which is in the same spirit as mine of a former date (to Mr McLane) but the different articles - which have been deliberated upon, by the

Naval Authorities / I have directed to be examined clearly & find it is right still to manage in conformity to the Regulations hitherto established /

First / The boundary on the four sides of the settlement where the foreigners of different nations reside are already very clearly defined. & the Chinese who reside therein I find on examination are engaged in foreign trade. & the major part are retail shop keepers / who have much personal traffic with the Merchants of different nations. & are quiet people, from whom no disturbances can arise. & it is inexpedient to force them to remove out of it. giving rise to suspicions —

Second. The Cove between old China Street & in front of Ching wa Hong. yesterday I directed Wan. the assistant District Magistrate of to examine. & he reports that the Cove between old China Street & , which is in front of the Ching wo & French Hongs, is a place to which different Chinese resort for water for domestic use, and for landing & shipping off Merchandise from the Hongs — & boats small & great, occasionally anchor there, and there are no mat sheds or agnattas there. should vagrants squat there. the Civil & Military Authorities & the Landlords will from time to time distinguish who they are & drive them away — as to filling up the sea & constructing a wall

it is rather inconvenient to the merchants & their people.

The river from the dock to , the space obstructed by boats on inquiry of the river police, & others of that place. they state that the majority of them are employed in the foreign trade, and are there for the purpose of being near at hand for the loading & unloading of merchandise, & as soon as this is done they are off immediately, & do not permanently remain. hereafter should any obstruct the way then it will be the duty of the river police of said locality rigorously to drive them away that the river may be kept clear.

Third. Regarding the barrier in the vicinity of the Fa Hwang fort ("Round fort" in the macao passage) it has been made on account of the rebels & immediately on their extermination, it shall be removed that merchant vessels may pass & repass freely.

Fourth. as to the impracticability of transporting merchandise along the river to the westward, I find on examination that the city of Choon King fou has been recaptured, & the western route is clear & shun Chaun on the north river. Now the Commander in Chief having led forth his troops the Rebels have been successfully exterminated. & H. E. Kwan has now come to Fish Shun, to unite in

extirminating the Rebels, & I have also sent a re-inforcement of Volunteers & naval forces, to exterminate & dash them away. & think before many days they will all be kwelled.

In a word, our respective countries having declared themselves friends, each should endeavour to help the other. On the one hand the Honorable acting Commissioner has devised excellent measures, & on the other, I the minister, also, have in his behalf managed properly.

As requisite I make this reply, & avail myself of the occasion to present my kind regard &c.

To

His Excellency, Peter Parker, acting Commissioner & Chargé d' affairs of the United States of America to China.

Hsien Fung, 4th year 11th m. 7th day.

(26 Dec 1854)

Translated by

(Peter Parker)

Exhib. 16. Despatch No. 1.

Legation of the United States
Canton 28th Dec 1844

Sir,

I have the honor to be in receipt of your Excellency's communication of the 25th instant, and it affords me satisfaction to find that the regulations which the Naval Authorities of Great Britian & the United States have deemed necessary to the common intrests of Foreigners & Chinese at Canton in the main, meet your Excellency's approval.

The object of the present communication is to correct some errors into which the assistant Magistrate seems to have fallen in his report to your Excellency, quoted in your dispatch. The fact is indisputable that the boats of various discriptions, do not occasionally but permanently occupy & obstruct the space in front of the [redacted] & French Hongs, & that numberless characters of the lowest grade constantly occupy most of them, & quarrels & tumults are of frequent occurrence.

It is but a few years since & there were no buildings on the East of [redacted] but by degrees the river has been encroached upon, & small buildings constructed, occupied by gamblers, & persons of ill fame, and also some shops occupied by Merchants & trades people. The number of

which is constantly increasing. There are also in the centre of the space shanties occupied by vagrants, all of which is dangerous to the tranquility of the settlement. within the past few years the landing at the head of stout has been so obstructed by Butchers boats & others that it is really difficult for Cargo to be landed or shipped off; & on occasion of fires, the fire engines have been much impeded by them. In 1844 on account of the riots involving life & property, regulations were settled by the authorities of China & the United States, by which the streets in the vicinity of the Factories, were to be kept clear of beggars, fruiterers, shewmen, pedlers etc, which is on record, and similar regulations have also been adopted & published by the Hist Confederation. Still the streets are daily beset by these nuisances, to the discomfort & danger of the Community, & can be endured no longer.

Your Excellency is under no erroneous impression as to the closing of the frontage between old China street & . This will not in the least affect the free passage of the two streets.

I therefore renew my request to your Excellency to give orders to the local magistrates

to give effect to the "Regulations" of the Naval authorities, & that they examine the said regulations of 1844. and the compact between the British & Chinese governments in 1847. applying to all foreigners; that they may be fully carried out, I especially call upon your Excellency to remove without delay the barriers that have for years obstructed the free passage of the River between Canton & Whampoa — I will only add my satisfaction in learning from Y.E. that in the west & on the North, order has been restored, and my best wishes for the prevalence of universal peace & happiness throughout the Empire of China —

With sentiments of high consideration I have the honor to remain

Your Excellency's
Obedient Servant
Peter Parker

To H.E.
Yëë. Imperial High Commissioner
&c &c &c
(L.S.)

Exhibit 17 – Desp. No. 1.

Legation of the United States

Canton 28th Dec 1854

Sir

It hereas in often repeated instances during the last years in the public correspondence between the high functionaries of China & the United States irregularities have occurred on the part of the Chinese authorities in their manner of addressing those of the United States. I beg respectfully to call your Excellency's attention to the subject.

On a former occasion I was informed by H. E. Ke Ying, that it is the established usuage of China, as it is in all diplomatic correspondence between western nations, to give to the officer addressed the same title as adopted by himself.

I was therefore compelled to return for correction the communication I had the honor to receive from H. E. on the 2d inst. in which that rule had not been followed.

The authorities of the United States in China, ever have been, & ever will be, most punctilious in observing this rule in respect to those of China, and as in duty bound. I respectfully request your Excellency will do the same.

In deviating from this rule of propriety, the disrespect is not so much to the officer himself, as to the government he represents.

I have also to request that hereafter the term Kang she may never again be used for Kin Chae in any communication addressed to the Minister, or Commissioner, of the United States.

Your Excellency may contend that it is proper & has been long so employed, but without discussion, let it suffice that it is not agreeable & that special & friendly request is made that it be used no more. By complying with this request Your Excellency will furnish new proof of your desire to pursue the amicable relations & good correspondence between our respective countries.

I have the honor to remain, sir,

Your Excellency's

Obedient Servant

Peter Parker

acting Commissioner &c &c &c

of United States of America in China.

His Excellency

Yeh, Imperial High Commissioner

&c &c &c

Exhibit 18. Del'p. No. 1.

Canton 22d Dec. 1841

Their Excellencies
Sir John Bowring
H.B.M's Plenipotentiary, &c &c

Dr. P. Parker
Actg U. S. Commissioner, &c &c
Canton

Gentlemen

We have the honor to enclose for Your Excellencies information a memorandum of the measures we conjointly propose for the defence and protection of Foreign interests at this Port during the present critical state of affairs.

We have, &c
(signed) J. Sterling
R. Admiral

Joel Abbot
Commanding U. S. Naval Forces
in China Seas &c

True Copy
G. W. Caine

Exhibit 18. Depn. No. 1.

Measures proposed conjointly by the undersigned commanders of Naval Forces, for the defence and protection of Foreign Interests at Canton.

We consider it highly important in a military sense, that demands shall be made upon the Viceroy and upon the different Rebel authorities in this district for the formal recognition of the following principles: viz,

Our Countrymen residing and trading in China have an absolute Right to security of Person and Property, and to have their places of residence exempted from the operations and hazards of Civil War and to enjoy unimpeded access to the legal Ports and places of Trade, and through them to the free transit of Commodities throughout the Empire. These Rights are under the safeguard of Public Treaties, binding not only on the Imperial Government, but on every individual of the Chinese Empire. Any infraction of these rights by any party pretending to exercise the functions of Government, will be considered by our Governments an Act of War, and will be at once resisted by their Naval Commanders on the spot to the best of their ability. We are moreover of opinion

that it is essential to the protection of the Foreign settlement that the following arrangements should be pressed upon the notice and acceptance of the Local Authorities.

The space colored pink in the accompanying Plan comprises the greater part of the dwellings, Storehouses, and Yards of the Foreign Merchants. It is desirable that the limits of that settlement should be acknowledged by the Local Authorities, and that they should take measures for its protection during the Civil War unhappily existing in this district. No hostile operations should be carried on by the contending Parties within that space, or on the river opposite, nor any of their armed followers be allowed to come within its precints. The dangers of Fire and of tumultuary mobs should be prevented by the Authorities and for this purpose they ought to exercise their friendly offices in removing the Chinese Population from Hog Lane, and other blocks of Buildings projecting within the general line of boundary: and if possible, operations of War should not be carried on within a circle exterior to the settlement boundary as Colored Blue in the accompanying Plan.

The Cove in front of the Chung-wo and

French Hongs, as far as Tehking Kae, being occupied by Huts and other erections, boats and small craft in contravention of Commissioner Keying's engagement with Sir John Davis of April 1847. should be cleared of such intrusions, and it is recommended that the Cove be filled up and inclosed by Walls in order to prevent a recurrence of such intrusions for the future. The said engagement must also be fulfilled without delay as regards Chinese Boats, Junks, and any other impediments on the River in front of the Foreign Residences.

There being reason to apprehend that the Navigation of the River at the upper part of Blenheim Reach has been or may be obstructed by artificial dams or dykes the Local Authorities should be required to prevent or remove all such impediments which are manifestly in violation of Treaties.

The ordinary Channels of Commerce on the upper Branches of the River have been for some time obstructed to the serious detriment of the Rights secured to our countrymen by Treaty, and therefore the Local Authorities should be required to open and to keep open these Channels, if they value friendly relations with the Treaty Powers, who on their failing to give effect to

this intimation will be constrained to inforce this Right.

In the spirit of existing Treaties we are prepared to employ the Forces of our respective Countries here present in assisting the Chinese Authorities in the repression of disorders and in maintaining security and peace within the limits of the Foreign Settlement, whenever threatened by any sort of danger but in such cases we can act only in aid of the Legally Constituted Powers, and it must not be inferred from the aid to be given that we intend to Exercise jurisdiction within the Territory of China over Chinese subjects nor to interfere between contending Parties in this Country, nor to relieve in any way whatever, the Chinese Authorities from the responsibility they are under and to which our Governments hold them bound, for the security of our Countrymen.

We take the liberty to recommend that the Communications conveying and communicating to the Chinese Authorities the Principles and views herein detailed shall be made by the Ministers Plenipotentiary of our respective Governments, and we submit herewith for their Concurrence the following sketch of the arrangements we propose to establish for the Military

Defence of the Foreign settlement in case of need.

1

The Diplomatic or Consular Authorities of the Treaty Powers are to be requested to make arrangements for procuring the earliest and fullest intelligence of passing events, and especially of any military movements which may threaten the safety of the settlement, and it will be for them to judge of the necessity for calling in the aid of the Naval Force

2

The consular Authorities are to be requested to enter into communications with the Chiefs of the Confederation of the adjacent streets, and make such arrangements with them as may be found expedient to guard against the common calamities of fire and mobs, and are to endeavour to arrange with the Chiefs, so that we may be enabled to avail ourselves of the Galleries erected over the streets, if necessary to our operations

3

The Consular Authorities are to make proper arrangements for the accommodation and supply of the Force landed for the defence of the Settlement and for turning to the best account the assistance which private individuals

may be able to afford in that defence according to their usual qualifications, and for watching the disaffected Population in Hog Lane and similar places; and for the use of Fire Engines in case of Fire and for the embarkation of the Women. Children and Treasure, if it should be deemed expedient.

4

The Naval Force to be maintained at Canton by the British and American Commanders must necessarily vary - but the Senior Officers of each service will co-operate cordially for the common object of Protection, and on being applied to by the Consuls for assistance, they will put in action the following arrangements.

5

A ship of War is to be stationed off the S. W. Corner of the settlement and another ship of War off the S. E. corner, and two Boats armed with howitzers are to take up position, at or near the corners of the Factory Gardens: and it will be the duty of the ships and boats to guard the river from attacks approaching from above or below their position, and to observe and cover the river front and the Eastern and Western flanks of the settlement, as far as they may be

visible.

6

On the alarm being given, Parties of Marines and small arms men and Howitzers and Rocket Parties are to be landed at or near the Boat-house. One half of this force is to be held in reserve in the Factory Garden prepared to reinforce and support any threatened Position, and the other is to furnish a main Guard and Outposts. The Main guard will be posted at the Western gate of the settlement, Outpost No 1 is to be established at or near the Northern end of the Danish Hong in Howqua street, No 2 at the Consoo House, or at the upper end of old China street, and No 3 at the Commercial Bank. These outposts are to maintain Pickets on the Galleries at the two ends of Howqua street, and at the Bridge across the Creek: and the Outposts and Pickets are to be occasionally visited by Patrols.

7

The Lighthouses on Honan Island are to be carefully attended to by the Ships, and if there be sufficient reason to fear for their safety, Boats and men are to be sent to their protection, but not

except in case of need, or occasionally for the purpose of visitation.

8

The Wickets opening into the stout of the Thirteen Factories are to be duly secured and Watched.

9

As no sustained attack is to be apprehended on the Southern and Eastern sides, the greatest vigilance and largest force are to be directed towards the North Western Quarter.

10

In the event of an attack or of alarm of Fire, the thoroughfare across the Creek, and indeed all the thoroughfares through the foreign settlement are to be closed and effectually guarded

11

The proportion of Force to be landed from the Ships, should be about one half of their numbers and the rest are to be held in readiness for the protection of the Ships against surprise, or for re-inforcing the parties on shore as occasion may require.

12

The Senior Officers present will use their discretion in modifying these arrangements as circumstances may require.

Canton, 22 December 1841

(signed) J^s Stirling -
Rear Admiral and
Commander in Chief
of H. B. M. Ships and
Vessels -

(signed) Joel Abbot
Commanding U. S. -
Naval Forces in China
Seas &c.

To Their Excellencies

Sir John Bowring Bart.
H. B. M's Minister Plenipotentiary

" " "

Dr Peter Parker
Acting United States Commissioner

" " "

Exhibit 19. - Dep. No. 1.

Legation of the United States
Canton 30th. Dec. 1854

Sir

It is currently reported in this City that a serious engagement between Imperialists & Insurgents occurred at or Whampoa Reach yesterday to the imminent peril of Foreign Shipping, & in the presence of Foreign Government vessels.

What was thus known to me as rumor, has since been confirmed by H.B. His Consul, Mr Robertson with whom I have had an interview. & we are both of opinion that a like occurrence may not be allowed, if it be in the power of the Naval Authorities of Great Britain & the United States at Whampoa to prevent it.

I shall be extremely obliged if you will inform me of the facts as they have come to your knowledge.

I am Sir

Your Most Obedt Servant

Peter Parker

Capt. Joel Abbot
Senr Officer Commanding
U.S. Naval Force in China
" " "
U.S. Macedonian

Exhib. 20 Desp. No. 1.

U. S. Ship Macedonian
Whampoa Dec 31. 1854

Sir.

In reply to your communication of yesterday's date I have to remark that in regard to the engagement, you speak of, between Imperialists and Insurgents at Whampoa, yesterday. There was quite a spirited fight between them; but I do not admit that the safety of Foreign Shipping and Foreign property was disregarded by Rear Admiral Sir James Stirling and myself. although such an imputation is cast upon us by the U. S. Vice Consul in a communication to me. the tenor of which I regard as objectionable and unjust both to Admiral Stirling and myself. My reply to Mr Stungis the U. S. Vice Consul. a copy of which is herewith inclosed. will inform you of the facts in the case and of my views upon the subject - Perhaps he has already furnished you with a copy of my letter. as would seem to be his duty. You being the U. S. acting Commissioner to China.

With great respect
I have the honor to be
Very Truly Yours
Joel Abbot
Comdg U. S. Naval Forces
in East Indies & China Seas &c

To Dr P Parker
Acting U. S. Commissioner to China
Canton

Ex Pub. 21. Desps. No. 1.

Legation of the United States
Canton 3d. January 1854

Sir

I have the honor to be in receipt of your communications of the 31st. Ulto. by the hand R. T. Allison. Esq. Purser of the U. S. S. Macedonian, this P.M. also copies of your note of the 31st. ulto. to the U. S. vice Consul. R. S. Sturgis Esqr. the joint communication of Sir James Stirling & yourself to the Rebel chief of the Blenheim Reach Fort. & the reply of the latter. of this date.

I have likewise received from Mr Sturgis copies of his note to you of the 30th Dec. Your reply of the 31st Dec. & his rejoinder of the 2nd Inst. and also the proceedings of a meeting of American Merchants of the same day.

Of the past I will, at present say nothing. further than to express extreme regret that ought should have occurred to affect, for a moment, the good understanding & harmony that should ever characterize the intercourse of american citizens, both socially & publickly.

In the wisdom of your general policy in these trying times, I most fully concur; it is the policy of the Government of the United States, & indeed of each of the Treaty Powers, and one that has been most explicitly enunciated & steadily maintained

by their Representatives.

Whilst our intrests are identical, our Cooperations & actions, must correspond. In regard to the future. I will only express my strong sense of the importance of carrying out the principles & purposes proclaimed to both Imperialists & Insurgents by H. E. Robt M McLane under date of 11th Sept last at the anchorage of Foreign Vessels at Whampoa. at the Foreign Residences at the Provincial city. From the formal conference we have had since the occurrence of the 30th Ulto. I am persuaded I am but giving utterance to your own sentiments on further consideration of the subject in so expressing my own.

With sentiments of the highest respect I have the honor to remain. Sir,

Your very obedient Servant

Peter Parker

Capt Joel Abbot
Commanding United States
Naval Forces in the East Indies & China Seas &c
U. S. Ship Macedonian
Whampoa.

Exhib. 22. Despo. No. 1.

Legation of the United States
Canton 4th January 1855

Sir

I beg herewith to enclose for your information and approval a Proclamation to Citizens of the United States in the Rebel service, and also a communication to the Rebel Chief, with other documents.

In the event of the same meeting your approbation I have to request that you will furnish J. P. Cook U. S. Marshall with an armed boat to proceed to the port of the said Chief and deliver the same.

Very Respectfully
Your Obedient Servant
Peter Parker

Commodore J Abbot
&c &c &c
U. S. Ship "Macedonian"
Whampoa.

3 Cy Feb 23.- Desp. No. 1.

U. S. Ship Macedonian
Whampoa Jany 6th 1855

Sir,

Your communication of the 1st Inst. together with Proclamations &c to the Rebel Chiefs, and to Americans that may be in his service have been received and handed to J. P. Cook. U. S. Marshall, and an armed boat furnished him agreeably to your request. Mr C. has made no report to me of his doings, but I suppose he will to you.

Accompanying this is my reply to the Resolutions of the American Merchants of Canton, directed to Mr Sturges and put under cover to you for your perusal and transmission.

This will be handed to you by Commander Adams together with dispatches from the State Department to Mr McLane.

I shall dispatch the "Powhatan" with Commr Adams to Japan with the ratified Treaty as soon as possible.

I hope to be at Canton before long to see you on various matters.

In haste Most Respectfully
Yours &c
Joel Abbot
Commander in Chief U. S. Naval Forces
in China Seas &c

To Dr P. Parker
Actg U. S. Commr to China
Canton

Exhibit 24. Desp. No. 1.

U. S. Ship Macedonian

Whampoa Jany 6th 1865

Sir,

In your communications to the Rebel Chief which you sent me yesterday to be forwarded, you notify him that Whampoa Reach is not to be made the arena of combats between the Imperialists and Rebels. I regret that I did not delay forwarding your communication until I had an opportunity of having an interview with you. This notice is, as it now stands, contrary to the views I have Expressed, and the neutrality, and impartiality I am determined to observe. As it stands the Rebel Chief is forbidden to attack any Imperial Junks, or to capture any Imperial boats when any defence is made in the Reach, whereas these can take refuge there, and thence make their attacks upon him.

Neutrality and strict impartiality require that your notification to the Rebels should be amended and explained, and a corresponding one sent to the Imperialists. The limits of "Whampoa Reach" should be explicitly defined, so as to leave no room for doubt about its extent. If the Rebels are not to be allowed to attack within that space, the Imperialists should not be allowed to take refuge there.

The Rebel Chief should be informed that he is not restricted from making such attacks and captures in "Whampoa Reach" as will not endanger

the Foreign Lives and Shipping - For instance he might attack by boarding &c. but not to use his large guns and fire.

At the same time he should be informed that the Imperial armed Junks and boats shall not be allowed to take refuge from him amongst the Foreign Shipping, and that our intention is to be strictly impartial between them, to aid neither party in obtaining advantage over the other. The Imperialists should be correspondingly notified that such prohibition has been extended to the Rebels, but that they themselves are likewise to be prohibited from fighting within the limits prescribed - from stationing their armed Junks and boats in these limits, and from taking refuge there from attacks or pursuit made by the Rebels. If they disregard this my boats will move them out.

This I submit for your views and advice, and desire to hear from you upon the subject as soon as convenient. If you agree with me please send the Notification at once.

I have the honor to be

Your Mo: Obt. Svt

Joel Abbot

Commander in Chief U. S. Naval Forces

in China Seas &c

Dr P. Parker

Actg U. S. Commr to China

Canton.

Exhibit 25. Desp. No. 1.

Legation of the United States
Canton 6th January 1855.

Sir.

Your two communications of this date by the hand of Commander Adams U. S. N. are at hand. I have to thank you for your prompt compliance with my request of the 5th Inst. and it affords me pleasure to observe the entire coincidence of our views of public duty & policy.

In addressing the Rebel Chief on the 5th Inst the duty, which an impartial neutrality imposes, of a like notification to the Imperial authorities, has not escaped my attention.

I am only waiting a communication from the Imperial Commissioner to the Legation direct which he yesterday addressed to the Consulate. adverting to the events of the 29th Ults. at Whampoa. & complaining that foreigners on that occasion took part on the Rebels side, when I shall inform his Excellency that his wishes have been anticipated so far as respects American Citizens, and shall make of H. E. the same requisition as from the Rebel Chief in regard to not making Whampoa Reach again the arena of hostile operations, and it is a source of satisfaction to receive your answer that if H. E. disregards it, Your boats will move the imperial armed junks away, which will be most equitable & just. If the expected communication from the Imperial Commissioners is not received before, I will on Monday send the notification without further delay.

I await your visit to Canton with interest, as several subjects of public importance demand

our united action. In the interim I beg to call your attention to the fact that the U. S. Vice Consul has this day advised me that within two days past the communication between Whampoa & Canton has been entirely cut off by Rebels or Pirates, for all Cargo boats to and from the Foreign Shipping.

H. B. M's Consul waited on me yesterday informing me that a similar complaint had been made to him by British Merchants. Mr Robertson has proposed as a remedy to furnish each cargo boat conveying British Merchandize with an English flag, & a certificate in Chinese certifying the owner of the Merchandize, & notifying all concerned that the same must be allowed to pass unmolested, or the British Naval force will be employed to protect it. The certificate to be returned & filed at the Consulate. The plan had met the approval of Capt Fellows. I think favorably of the measure as one to be adopted by both Governments & respectfully submit the same for your consideration.

Your communication of this date to Mr Sturges I have perused & transmitted as requested.

Availing myself of this opportunity to present you my congratulations on your reciept of of distinguished honors at the hand of your Government, to which your long public services so justly entitle you, I remain Sir.

Very Respectfully Your Obt Servt
Peter Parker

To Commodore Joel Abbot
Commander in Chief of
U. S. Naval Forces in China Seas
U. S. Ship Macedonian, Whampoa

Exhibit 26.- Dest'p. No. 1.

Legation of the United States
Canton 10th January, 1855.

Sir,

I deem it incumbent on me to inform you that there is increasing grounds for apprehension that Canton will soon be the point of attack by the "Rebels."

The U.S. Marshal, Whampoa, has this day expressed to me his full belief that the Rebels will not only come to Canton but that they will take the City. He had not left my office when a letter was received from a gentleman at Whampoa who has much intercourse with both Imperialists & Insurgents stating "I am well convinced from what I have seen, and from what I can learn that Canton will be captured soon. That an attack & a desperate one will be soon made I have every reason to know,- the exact time of which I will know as soon as it is determined upon by the Rebels."

This information is voluntary & entitled to consideration. Twenty four hours notice is all that is promised. The Chiefs may

be

be sincere in their wish not to injure foreigners, but their followers are undisciplined men, and our reliance should be not upon the order that may or may not be maintained in the hour of conflict, but upon our own resources.

I write not only to acquaint you with the progress of events, but respectfully to repeat my suggestion of the desirableness of the presence of the U.S.S. "Powhatan" for a few days till the crisis is past, and also to express my conviction of the desirableness of the return of the "Queen" at the earliest moment practicable.

Fresh apprehensions are manifested on the part of the Chinese, many of whom are said to be fleeing to Hongkong & Macao. An attack was threatened by a new band of Rebels on the N.W. of the city yesterday.

I write with deliberation, and simply ask for the facts submitted the consideration to which they may be entitled.

I remain Dear Sir,

Very Respectfully
Your Obedient Servant
Peter Parker

Commodore
Joel Abbot
U.S.S.
Hongkong.

Exhibit 27. – Desp. No. 1.

Legation of the United States
Canton 9th January 1855.

Sir,

I learned with much pleasure from your verbal report that the Rebel Chief at the Blenheim Reach port expressed his willingness to dismiss from his service all American citizens employed therein, and that in his Naval engagement with the Imperialists on the 7th inst, there were no Europeans engaged.

In the information, however, of U.S. seamen arriving in port hereafter, I enclose a copy of the Notification of the 4th inst, and request you will make it known to them as American vessels arrive from time to time.

Very Respectfully
Your Obedient Servant
Peter Parker.

James C. Cook Esq
U.S. Marshal
Whampoa.

Exhibit 28. — Dept. No. 1.

Whampoa January 9th 65.

My dear Sir,

I take the liberty to send you an acct of the fight to-day, being an eye witness of the whole affair. Exaggerated reports of the same will be likely to reach you, the "facts" may be desirable. At about 10 A.M. the long sail away Mandarin boats came down the river with the junks following them. Three of the Mandarin boats went below the shipping to the mouth of the passage leading to Blenheim Reach, fired several guns and then turned to go up the river. In about twenty or thirty minutes the Rebel boats from the fort began to make their appearance. The first that came being small sail away boats, coming from ten to thirty men each, and they continued to come from one to a half to two hours, in a continuous line of boats of all sizes to the amount as near as I could judge, of five or six hundred. I cannot estimate the number of men, but it was very large. The Imperialists at this time were all under weigh up the river, but the Rebel boats being smaller gained on them very

fast

fleet.

Dr Gregg, Mr Cady & myself took my gig and followed near enough to the scene of action to see the Imperialists leaving their vessels and running them on shore to get clear of being captured. This was about half way between the first & second Pagodas and as the Rebel boats came up they took boat after boat, until they obtained the whole fleet. Say about forty large junks such as have been at anchor in the river for some time past. They also captured some of the Mandarin boats, but the most of the men escaped, as we saw but few prisoners & only one or two in the water. We pulled around the whole fleet which extended nearly the length of the river between the two Pagodas. Two of the junks blew up, one of which we were within thirty yards of at the time, which was filled with Rebels, the most of whom were either blown up, or pumped overboard. The river was strewn with fragments of articles found on board which they could destroy. Mandarin flags, hats &c were floating around us in every direction & the scene

was

was quite exciting - a continual noise was kept up as the small boats boarded the junks, shifting them & throwing things overboard, making fast to them and towing them down the river. We passed several of these boats containing wounded who were continually calling on the Doctor to come and see them. As he went on board one of the boats he took up the arteries of one of them whose arm had been shot off. There were no Europeans engaged in the affair, and the whole thing was done very quick and unexpected to the lookers on, as the general impression was that the Mandarins were coming down in large force to take the fort. The Rebels after taking the fleet, towed them over to the fort, and everything is at present quiet in the Reach -

I received your note last night & shall be happy to give you any particulars. I can the first opportunity I get. Hoping this may be of some use to you as a matter of fact.

I remain

Your Obedient Svt

(Signed) J. P. Cook -

To P. Parker Esq.

Exhibit 29 Def'n. No. 1.

Legation of the United States
Canton 29 December 1854

Sir,

His Excellency
Sir John Bowring Bart
H B M's Minister Plenipotentiary
&c. &c. &c.

Sir,

A question of jurisdiction over two seamen who claim to be British subjects, has arisen, to which I beg to call your Excellency's attention. On or about the 2nd Inst. eight seamen were arrested by the United States Marshall at Whampoa, on complaint of having boarded the American Bark "Science" at that anchorage, armed with revolvers and by force taking the first officer out of the ship to the shore, where they threatened him with violence, and subjected him to harsh treatment. The life of the Master of said vessel, & that of the 1st officer, were also threatened.

H. E. R. M. McLane, previous to his embarkation for Europe, in the absence of the United States Consul referred these prisoners to the Commissioners Court for trial, but on bringing them up for preliminary inquiry, I ascertained for the 1st time that two of them claimed to be subjects of H. B. Majesty — Had they at the time of the offence been employed

on board the american vessel, or had they been arrested under the flag of the United States. they had doubtless been amenable to their laws.

But having been discharged it seems to me they reverted to the jurisdiction of their own government, & that their arrest on shore & subsequent trial, should properly have been made by the British authorities at the port.

On being informed of your Excellency's Concurrence with the views above expressed, the said seamen, named William Sweetman & George Mills, now in custody on board the U. S. S. "John P. Kennedy" shall be held subject to your Excellency's order, confident they will receive due justice from their own government, with sentiments of return & high regard. I have the honor to remain

Your Excellency's

Very Obedient Servant

Peter Parker

Acting Commissioner &c

U. S. A. China

Exhibit 30 Dept. 80.1.

No 5.

Superintendency of Trade
Hongkong 6th June 1855

Sir

On the receipt of Your Excellency's letter on the subject of Two Englishmen who had been concerned in riotous proceedings at Whampoa I did not fail immediately to lay the correspondence before Her

His Excellency
R. Parker Esq M. D.
acting U. S. Commissioner
Canton

Majesty's Acting Attorney Gene-
ral who being of opinion
that these persons ca-
me under British juris-
diction I requested Mr Coun-
sel Robertson immedia-
tely to communicate with
you on the subject of
further proceedings.

I have the honor to be
Sir
Your Excellency's
Most obedient
humble Servant
(signed) John Bowring.

Ex. Doc. 31. — 34th Cong. 1st Sess.

Legation of the United States
Canton 4th January 1855.

Proclamation to all citizens of the United States engaged in murder and insurrection, rebellion against the Chinese government, with intent to subvert the same.

Whereas information has come to the knowledge of this Legation, that citizens of the United States, either from ignorance of the law, or in defiance thereof, have entered into the service of Chinese in open rebellion against the government of China with intent to subvert the same; I hereby notify and warn all such citizens, that by the 15th section of the act of Congress approved the 11th August 1848, extending the laws of the United States over all citizens of the same residing in China, "Murder & Insurrection, or Rebellion against the Chinese government, with intent to subvert the same, shall be capital offenses, punishable with death". I therefore call upon all citizens of the United States, now in the service of men in arms against the government of China with whom the United States are

in

in amicable Commercial & Treaty relations, to quit their service instantly, and to return to their allegiance as good citizens, otherwise the law above quoted will be rigidly enforced.

(Peter Parker)
Acting Commissioner & Chargé d'Affaires &c of the United States of America to China.

(L. S.)

Exhibit 32 — Dft's No. 1.

Legation of the United States
Canton 11th January 1855

The undersigned acting Commissioner and Chargé d'affaires of the United States to China, has learned with deep regret that certain citizens of the United States, either in ignorance of the law, or in wilful violation of it have entered your service & taken up arms against the Government of China. You are already aware of the neutrality incumbent upon Western Powers, in respect to the domestic troubles now existing in China & the determination of the High Authorities of these Nations to maintain that Neutrality, & that on a recent occasion, a citizen of the United States who had entered the military service of the Imperial Government to fight against you & others holding a similar relation to the Government of China was required by the Minister of the United States, in obedience to treaty stipulations, to abandon that service at once. Now, citizens of the United States taking part in a Rebellion against the Chinese Government with whom the United States are related by Treaty stipulations, are violating a distinct law declaring such offence a capital crime punishable with death. I have therefore this day issued my proclamation calling upon all such

to return to their allegiance at once & by the United States Marshall forward the same to you. by dismissing them from your service & without delay, you will manifest respect for established laws founded in wisdom & justice.

I also enclose for your information and guidance a copy of regulations adopted by the High Naval authorities of Great Britian & the United States, for the protection of the life & property of their subjects & Citizens at Canton.

These Regulations the Naval authorities will generally maintain.

I take this opportunity also to inform you. that whilst the authorities of the United States will maintain an impartial neutrality both as regards Imperialists & Insurgents in any place, when hostile operations will not endanger their own safety, they will henceforth regard that Whampoa Reach. which from time immemorial has been the anchorage of Foreign ships, shall not again be made the arena of war between them, of which you have already been notified by the Naval authorities of England & the United States.

Peter Parker

To Chin Heen Seang.

Sin Haou. Whampoa.

(L. S.)

Exhibit 33 — Despatch No. 1.

To the Chief of the Insurgent Forces
in Blenheim Reach.

(2 Nov 1863)

In the operations which your Squadron appears to be about to engage in, we trust you will observe that Foreigners in China have an absolute right to security of Person and Property, to an entire exemption from the hazards and evils of War, and to unimpeded navigation of the River, and that you will instruct your subordinates that any violations of these rights on any pretence whatsoever will be deemed an act of War, and lead to immediate reprisals.

We trust also you will observe the Rules and Precepts of humanity in your mode of waging War, if you value the good will of the Nations whose Flags we bear, and of the world at large.

(Signed)
James Stirling
Rear Admiral & Commander
in Chief of Her Britannic
Majesty's Ships & Vessels

(Signed)
H. Grothmey Lieut
for Captain Osborn
Commander in Chief of
the American Forces
in Chinese Seas.

December

Exhib. 34. – Def. No. 1.

January 3rd/65.

Dear Sir,

In answer to yours of yesterday, I have to inform you that the Chief has issued notice to all his Forces to comply with your demand, and that they will not interfere with any boats or vessels whatsoever flying any European flag, but there is another class of Chinese who fly the Rebels Flag, but they are nothing whatever connected with the Rebels, but are real Pirates and you will greatly oblige the Chief if you can take any of them, also if any Mandarin boats should anchor amongst the shipping you will save trouble by sending them away, and it is the Rebels intention to prevent all provisions from going to Canton, and when they are going to fight they will send you notice before they commence, and it is their wish to be as friendly with all Europeans as lays in their power, The Chief is also very sorry to give you so much trouble.

From your sincere Friends
(Signed) Chunmeikung
Chief of the Rebel Forces.

Canton

Exhibit 35 Desp. No. 1.

Legation of the United States
Canton 19th December 1854.

The Marriage of the Reverend Charles Finney Preston, and Mrs Mary Gray Brewster, citizens of the United States of America, has this day been duly solemnized by the Undersigned, agreeably to the usage of the Presbyterian Church of the United States of America.

Peter Parker

Acting Commissioner, &c
U.S.A. China.

S. Wells Williams
Edwin Wright
Jno. P. French
Sarah H. Williams
Harriet W. Parker
Mary L. French
} Witnesses



Exhibit 36. — Dept. No. 1.

Legation of the United States
Canton 11th January 1855.

To the Merchants and others, citizens of the United States at Canton.

Gentlemen,

The accompanying note of the 10th inst. to Commodore Abbot, and a copy of measures proposed conjointly by the Naval Authorities of Great Britain & the United States, for the defence & protection of Foreign interests at Canton, are circulated for your information.

The Undersigned will be happy to receive from his fellow citizens any information & suggestions affecting the public interests at the present crisis, and to impart at all times whatever information he may possess of general concern.

Very Respectfully
Your Obedient Servant
Peter Parker
Acting Commissioner and Chargé
d'Affaires, U.S.A. China.

Jcon

Seen by

Appleby & Co

Jno Mathews & Co

Augustine Heard & Co

James Purdon & Co

Wetmore & Co -

Kings Co

S. L. Williams,

Jno B. French,

E. W. Gaillard.

Geo G. Kerr

C. F. Ruston

Nva

Exhibit 37.— Desp. No. 1.

No 1. Communications from Chin Hun Leang Rebel Chief in Command at Whampoa to Mr Robertson H.B.M. Consul at Canton.

1 Oct. 1854

A respectful communication. I have greatly desired that a friendly intercourse should be carried on between us. You have ever at times been so kind as to make inquiry respecting our intentions but hitherto the numerous demands on my attention by subjects connected with the war have prevented me from being able to receive personally your commands. I have observed with the deepest regret that the hostilities have had the effect of inducing merchants to leave the neighborhood and interrupting trade; but the present state of affairs is inevitable. Our province of Kwang Sing has latterly been oppressed by rapacious officials and their cruel Myrmidons whose whole object has been to amass gains. Foreigners they have treated with insult and the Nations they have regarded as robbers and objects of enmity. The country has been overrun with lawless characters & become a prey to mis-government & disorder. Nor is this the sum of our grievances. Lately in the villages surrounding the Provincial City namely, Le Tsun, So-Kwâ, Tse-Hoan Cha-Tow, Hin-Ke & others, the traitor Soldiery under the pretext of fighting with our troops, have broken into villages robbing the inhabitants, burning down

their houses, and even cutting off the ears of men women & children, for which to claim reward. The pools & ditches are choked up with the dead bodies of their victims. Such cruelties are inexplicable; the recital of them is heart rending & the sight of them excites bitter tears. The miseries of warfare is not enough but they must torment the people to extort pay from them. The perpetrators of such acts are detested alike by Gods and Mankind, and the universe refuses to endure them upon its surface. It is thus we have been compelled to raise the standard of the right, & to take oaths to root out the traitorous race, and rescue the people from their miseries. Wherever we are in possession the pursuits of life are resumed & all are protected from injury.

In Kwang Chow for we have ruined the submission of the Districts of Tung Kwan, Tsang-ching Shan-tih, Tsing-yuen, and Hwa-Heen, & elsewhere, of the numerous dependencies in the Department of Shaou King, Nan Hung, Hsun Chow, Lo-Ting, Lien Chow & Shaou Chow. Every where the people are of one accord with us. all this is well known to your great nation.

Your Great Nation has always had amicable relations with Kwang-T , in our intercourse justice & advantage have been recognised, and you should now remember this and embrace our cause. We

have heard that you do not despise our incapacity, but have frequently desired to come & inquire about our procedings. Such good dispositions merit our warmest gratitude. We have now come from Fat-shan and established a temporary post at ___, & thus we hope to be honored by a visit from your Worship, when we may consult on regulations for our future guidance; so that when the tyrannical Mandarins are got rid of traffic may be resumed. Merchandize pass freely along the waters, & all enjoy the blessings of peace & prosperity. Not only will the innumerable inhabitants of our own Kwang-Tung be benefitted by your goodness but the trades from all parts of the Empire will participate in the results of it. If you comply with our invitation & will kindly give notice of your intended coming preparations shall be made for your fitting reception.

I present compliments.

Chin-Hun & others commanders of the Patriot army in Kwang-Tung.

Salute you.

Kea Ying 8th Month 10th day

1 Oct. 1854

(L S) Seal of Commander of Ten Thousand men.

True Translation

(signed) W. C. Morrison

Interpreter

Exhibit 38 - Desp. No. 1.

No 2. Letter from Chin Nun Seang Rebel chief in command at Whampoa to Mr Robertson H. B. M. Consul at Canton

6th Dec 1854.

A communication. I trust that you duly received the letter we lately addressed to you, and favored it with a perusal. The object of our present warlike rising is to destroy the extortionate and oppressive officials and their myrmidons and to reistablish the ancient sovereignty of the Ta-ming. The mandarins of the Tsing are a pest with which the Tartars have overspread the country, & which can no longer be endured by us the entire population of the soil. We have accordingly now put in motion the patriotic host to sweep away the Tartars; we are not thieves whose business is to plunder. Every district throughout Canton has now joined the patriot cause, and given its adhesion to us. There remains only the Provincial City for us to get possession of. The people of China have always been allied with those of your great honored nation in the bonds of the warmest friendship, cemented by righteousness and material advantages.

At the present time we have not committed the slightest trespass upon the property of people of your great honored nation. Our enmity is against the Tsing mandarins and Tartars, and we have no cause of offence against any of the great (foreign) nations. We have heard a story that the Tsing troops have made overtures to your honorable great nation to obtain the assistance of your vessels against us, but your Worship has always shewn the utmost friendliness to the Chinese people, and we are certain

that nothing of the kind will be granted, we do not believe anything of it. I beg that you will make known to the people of all the great (foreign) nations that they must distinguish their houses and property by their respective national flags & I will give the strictest orders to my troops not to injure them, so that after the city is taken trade & commerce shall enjoy perfect prosperity.

If the difficulties are much longer protracted, the waters will be impeded, & commodities be prevented from circulating, & so trade & intercourse will be rendered impossible.

I present you my respectful compliments.

Chin Hun Leang Commander of the Patriotic Volunteers of the Province of Kwang-Tang, salutes you

To His Worship the British Consul.

From the temporary camp, (Blenheim Reach Fort)

10 m. 17 day (6th Dec. 1854)

(L.S.) Seal of a Commander of Ten Thousand men.

True Translation

Signed

W. C. Morison

Interpreter

Rec'd 23 April. Mr Derrick

No. 2

Legation of the United States.
Canton, 12th February 1856

To the Hon:
W. L. Marcy
Secretary of State of the United States.

Sir,

Your Dispatches Nos. 11, 12 and 13 to Mr. McLane were duly received by the last Mail. Referring to No. 11, I had been happy had no circumstance existed to render it necessary for me to take any action in the premises, but the state of the "Duty question" not contemplated apparently when your instructions were framed, and of which before this you will have learned from Mr. McLane's dispatches, induced me to address Mr. Murphy as I did, and trust the course I have pursued will meet the approbation of the Department.

Exhibit "A" embracing my correspondence with the Merchants in Canton, who are equally interested in the subject with their partners in Shanghai, and with the Consul at that Port, will sufficiently explain my views & suggestions, which need not here be repeated.

Exhibit

Exhibit "B," contains papers mostly relating to judicial cases that have been disposed of, and I shall be pleased to know that my decisions meet your approval. The case of Thompson, I purpose to close by admonishing & acquitting him, believing all the ends of law and justice will be as effectually answered as by inflicting on him a longer imprisonment. He seems to have been betrayed into his error by others, and has behaved with great propriety since his arrest. The two British seamen in the case of the "Sciene" were sentenced by the British Consul to six months imprisonment.

It is gratifying to learn from the Dispatch of our Consul at Fuh-Chow, of the 12th ult. January, that under his excellent management, a better state of things has been effected at that port, whilst there is ground for apprehensions of fresh difficulties at Shanghai, (vide Letter of R. C. Murphy Esq. of the 22nd January, and my reply of the 30th ult.) (Exhibit "C.")

The position of foreign officers in China, Civil & naval, is scarcely less

embarassed

embarrassed by the difficult and intricate state of foreign relations with China, growing out of the political condition of the Empire, than from the diversity of sentiments & conflicting interests on the part of a few foreigners as is sufficiently exhibited by the tone of the local Journals.

It has been and still is my unchangeable determination to adhere to those principles of strict & impartial neutrality, pursued so consistently by His Excellency Mr. McLane, as my correspondence with the Chinese Authorities, and instructions to the Rebels, will evince to you, as well as my correspondence with the United States Merchants /Exhibit "D."/

The Notification to England, France and America from the Rebel Chiefs of 10th. February, I shall not notice 'till I have conferred with Sir John Bowring, when, if His Excellency concur I shall refer the Chief to his promise to respect the regulations suggested by the Naval Authorities of the 23rd. Dec., and my note to Chin Hein Leang of the 20th. January.

as

as defining the position of the United States Authorities towards him, and that he must Conform thereto. His demand of the 10th inst. to remove all European Merchandise from Canton by the 17th inst. will not be regarded for a moment by the Western Powers.

The Correspondence from Liew Chew /Exhibit "E."/ is also respectfully submitted herewith.

I have the honor to remain,

Sir,

Very Respectfully

Your Most Obedient Servt

Peter Parker.

A. Dispatch N. 2 – 12th February 1855

Canton, January 30th 1855

Dear Sir,

We are advised from America that the Government of the United States has failed to confirm Mr. McLane's action in the question of duties at Shanghai, or have arranged the matter at Washington without awaiting his action, and that you will have been advised by this mail of what steps may have been taken.

May we beg that you will communicate to us what is the position of the matter in question that we may advise our Shanghai house by the mail hence to that port on the 1st prox, as we have a large pecuniary interest in the pending negotiation.

We are

Your Obt Servts

/Signed/ Russell & Co

To

Dr. Peter Parker

Acting Commissioner U.S.A

Canton

U. S. Legation
Canton, 30th January 1855

Dear Sirs,

In reply to your note of this date I have to state that full advices from the Department of State to this Legation, have been received by this mail, relative to the question of duties at Shanghai, and at the earliest moment practicable I shall acquaint you and all the Merchants interested, with the position of the subject, which is one of sufficient embarrasement, and shall make known the steps that have been taken, and which under the circumstances it may be necessary to adopt in future.

I remain, Dear Sirs
Your Obt Servt
(Signed) Peter Parker

Messrs
Russell & Co
Canton

Legation of the United States
Canton, 30th January 1855

Gentlemen,

I have to inform you that advices to this Legation have been received from the State Department, from which it appears that the Governments of Great Britain & the United States, Concur in directing their Representatives in China, to cause the Bonds to be cancelled, which British and United States Importers at Shanghai had given for the payment of duties on Merchandize introduced by them during the suspension of the Authority of the Imperial Government, a period defined to extend from the 8th Sept. 1853 to February 1854.

It will at once be perceived that a subject of no small embarrasement is now presented. On the one hand, the Merchants of the United States at Shanghai, & the Imperial Authorities at that Port, jointly agreed to refer the question of unpaid duties to the Arbitration of the Minister Plenipotentiary of the United States, and to abide His Excellency's decision.

On the 23rd Nov. 1854 the award was declared and made known to this

Excellency

Excellency the Governor of Keang Soo, who made his objection thereto, and the money due has been collected by the United States Consul at Shanghai, or is in process of collection accordingly.

On the other hand, the Secretary of State at Washington, unaware of the settlement of the question by mutual agreement to submit it to arbitration in China, on the 8th Novr 1854, nearly simultaneously with that action here, issued his instructions, immediately on the receipt thereof, "to Cancel all bonds & obligations received", at the United States Consulate, Shanghai under the provisional rules for clearing ships, issued by Mr Cunningham with the approval of the late Commissioner on the 9th of September 1853, and return them to the parties to whom they respectively belong and to rescind said regulations."

Should the Chinese Government insist on the obligation imposed by the action in the premises, of the accredited Representative of the United States in the person of his Excellency their Minister Plenipotentiary, it may be difficult to reconcile to their minds the Counter decision of the

Government

Government at Washington, with the principles of plenary power and good faith on the part of their Ministers in China, and an injury of great moment be sustained by the Government and the Commercial & Political interests of the United States in China for years to come.

Under these Circumstances I deem it my duty, in addressing the United States Consul at Shanghai, upon the subject, to instruct him to carry out the explicit instructions of the Hon: Secretary of State, to return the Monies collected & cancel all obligations, but, on condition that the Merchants will give them written obligations to abide any Modifications of the Decision of the State Department, which it may deem just & expedient after it shall have been informed of the award of His Excellency Robert M. McLane.

If any are sanguine as modification will be made, they hazard nothing in awaiting that Decision; if in view of the award having been made, the Hon: Secretary of State should modify his instructions, it

will

will be because there are valid & just grounds therefor, in which, if made apparent, every honorable & high minded Merchant must cheerfully acquiesce.

I have the honor to remain
Sirs,
Very Respectfully
Your obedient Servt

Peter Parker

To/
Messrs Rapell & Co
" Nye Brothers & Co
" Augustine Heard & Co
" Wetmore & Co
" King & Co
" James Pindar & Co
" Alvord & Co
W. C. Hunter Esq
W. H. Hubbell Esq
and others
Canton

United States Legation
Canton, 1st Febmary 1855

Gentlemen,

My Circular of the 30th ult was based upon the understanding that the Chinese Government abide the award of His Excellency Mr McLane. It is alleged upon evidence that deserves consideration, that the reverse is the case. My Communication to the U.S. Consul Shanghai is therefore qualified accordingly, an extract from which is enclosed for your information.

Respectfully
Your Obt Servt
/Signed/ Peter Parker

To/
Messrs Russell &Co
" Nyz Brothers &Co
" Augustine Heard &Co
" Wetmore &Co
" King &Co
" J. Purdon &Co
" Olond &Co
W. C. Hunter Esq
H. W. Hubbell Esq
and others, Canton

Legation of the United States
Canton, 31st January 1855

Sir,

By this Mail you will receive Instructions from the Hon: Secretary of State, under date of 8th Novr 1854, a copy of which, with advices from the State Department to this Legation, are before me, to cancel and surrender all bonds & obligations received from United States Merchants at Shanghai, under the provisional rules approved the 9th Septr 1853.

The bonds & obligations have already been returned and cancelled under the award of His Excellency Robt M. McLane, and a state of the case not contemplated by the Home Government presents itself, and it is the spirit, rather than the letter, of those instructions, under the altered circumstances that must be followed.

If on the receipt of this, the money paid by the Merchants conformably to the award, has been received by the Chinese Government, then there the matter ends. On the other hand, if you have been officially notified that the Imperial Government declines to abide by their

agreement

agreement, and to receive the money awarded & tendered, (as has been intimated,) the Merchants are absolved from all obligations growing out of their agreement to the arbitration.

Should the money still be in your hands, and the Chinese Government anxious to receive it, withhold it, and restore it to the Merchants who paid it, but, on Condition that they give written obligations to abide any modifications of the decision of the State Department, which it may deem just & expedient after it shall have been informed of all the new circumstances of the case. Some of the Houses, most largely interested, have expressed their readiness to come under this obligation, and I apprehend all will admit its reasonableness. Should any decline, still return them their money, at the same time officially notifying them of the state of the case, viz;

By their voluntary act they have bound themselves to abide the award of H. E. Mr. McLane, which has been made & conformably to which they have paid the money, and if when

that

that fact is known at Washington, it shall be decided that the simultaneous & combined action of the Home Govmt., absolves them from this obligation, the matter is disposed of so far as they are concerned:— but, if in view of another fact, viz; that H.B.M. Mr. McLane, under his general instructions of 4th Novr. 1853, was authorized to adjust the question, accordingly had done so, published his award, and the money having been collected, it shall be decided the Merchants are still bound by their agreement & this action, they must abide the final determination of the Home Government, whatever that may be.

The period during which you are instructed to cancel bonds & obligations for duties, is not very definitely expressed. In one instance from "8th September 1853, to Feby. 1854" is mentioned; in another the language is, those given "under the provisional rules &c. of the 9th Sept. 1853."

If you assume it to be from the 7th of September 1853, the date of the Capture of the City to the 12th July 1854, when the present Custom House arrangement went into effect, it will

be

be in conformity to the spirit, if not the letter, of the instructions' x x x x x.

A true extract
J. M. Bibby

To/
R. C. Murphy Esq
U. S. Consul
Shanghai

Legation of the United States
Canton, 31st January 1858

Sir,

By this mail you will receive Instructions from the Hon: Secretary of State under date of 8th Nov.r 1854, a copy of which with advices from the State Department to this Legation are before me, to cancel & surrender all bonds and obligations received from United States Merchants at Shanghai, under the provisional rules approved the 9th Sept.r 1853. The bonds & obligations have already been returned & cancelled under the Award of H.E. Robt M. McLane, & a state of the case not contemplated by the Home Govt presents itself, and it is the spirit, rather than the letter, of those instructions under the altered circumstances that must be followed. If on the receipt of this, the money paid by the Merchants conformably to the Award has been received by the Chinese Govmt, then there the matter ends. On the other hand if you have been officially notified that the Imperial Government declines to abide by their agreement, and to receive the money awarded & tendered, / as has been intimated / the Merchants are absolved from all obligations growing out of their agreement

to

to the arbitration. Should the money still be in your hands, & the Chinese Govmt anxious to receive it, withhold it, & restore it to the Merchants who paid it, but on condition that they give written obligations to abide any modification of the Decision of the State Department, which it may deem just & expedient after it shall have been informed of all the new circumstances of the case. Some of the Houses, most largely interested, have expressed their readiness to come under this obligation, & I apprehend all will admit its reasonableness. Should any decline, still return them their money, at the same time officially notifying them of the state of the case, viz:

By their voluntary act they have bound themselves to abide the award of H. E. Mr. McLane, which has been made & conformably to which they have paid the money, and if when that fact is known at Washington, it shall be decided that the simultaneous and counter action of the Home Government, absolves them from this obligation, the matter is disposed of so far as they are concerned:— but, if in view of

another

another fact, viz, that H. E. Mr. McLane, under his general instructions of 4th Nov. 1853, "was authorized to adjust the question, accordingly had done so, published his award, and the money having been collected, it shall be decided the merchants are still bound by their agreement this action, they must abide the final determination of the Home Government whatever that may be.

The period during which you are instructed to cancel bonds & obligations for duties is not very definitely expressed. In one instance from "8th September 1853 to Feby 1854" is mentioned; in another the language is those given "under the provisional rules of the 9th Sept. 1853." If you assume it to be from the 7th of September 1853, the date of the capture of the City to the 12th July 1854 when the present Custom House arrangement went into effect, it will be in conformity to the spirit, if not the letter of the instructions. I prefer for the present, you should not go out of your way to acquaint the Chinese Authorities with the new difficulties in which the duty question is involved. If applied to by them touching the

the matter you may inform them it is under the Consideration of the Legation, & on receiving your statement of the position of the subject at Shanghai, which I request by the earliest opportunity, if occasion require, I will address H.E. the Governor there, & the Imperial Commissioner here.

By reference to the Archives, it appears Mr. McLane did not forward to the State Department till the 25th Nov: last, the correspondence relative to the duty question, with the Consul, Merchants & Taoutai, & the introduction of foreign officers into the Custom House. Hence the remark in Despatch of 8th Nov: that "up to the last accounts the duties on Foreign Trade have been only partially levied," & that no instructions are deemed advisable until peace in that quarter shall be restored &c. I advert to this to say that the present order of things in respect to trade at Shanghai had better not be disturbed unless so advised from Washington. The superintendance of the Customs by foreign officers is known there by this time, & if disapproved, early notice may be expected.

Very Respectfully
Your Obt. Servt
(Signed) Peter Parker
Acting Commissioner &c
United States of America
China

To
Robt. E. Murphy Esq
United States Consul
Shanghai

"B" Dispatch No. 2 — 12th February 1855

Vice Consulate U.S. America
Whampoa China, December 22d 1854

Sir,

On the complaint of Capt. Pierce of the American Bark "Science" I have arrested eight men (whose names I enclose) for going on board said Vessel forcibly taking the Chief Officer Mr. Bird then in charge of the Ship out of the Vessel leaving her & the property on board without any protection. I enclose the Mate's statement by which you will see the ground of complaint. I have the Men in Double Irons subject to your order and await your instructions on the matter.

I remain
Yr Obt Servt
(Signed) James P. Cook
U.S. Marshall

To)
A.H. Bancroft Esq
Acty U.S. Vice Consul
Canton

List of 8 Men arrested

William Sweetman	George Mills
John Lewis	Daniel Shean
Charles Labdon	John Alger
William Bell	Charles Edes

8

Bark "Science" Decbr 2nd 1874

I hereby certify that the undermentioned party came on board with loaded pistols and took me out of the Ship by force. They took me on shore to a place called Jemy's Boarding house where there was about 30 men. Some with loaded pistols say Revolvers &c, they made me sit down while they went to see Mr Brown 2nd Officer after seeing him they took through the house, and on my way through I saw Mr Brown they marched me like a prisoner through the Street until they got me to the paddy fields, and then put me to a tree & held a Counsel over me. Some wanted to flog me. others drowned me. Some shoot me, Some hide me. The Ring leaders is Mill & Dan Shean. They also threatened to take both the Capt life & mine before they leave Thampoa. This morning after apprehending them they said they would take our lives yet if ever they got clear. Both the Captain & my life is not safe while they are in the place.

I am Sir

Yours

(Signed) F. B. Bird

1 Mate

Barque "Science"

1

U. S. S. "Queen" 25th Dec. 1841

Dear Sir,

I have come to Shampoa in the "Queen" with a view to make preliminary inquiries respecting the men who committed the offence on board the American Bark Science.

I shall be much obliged if you will request Capt. Pierce & Mr. Bird, 1st Officer to call with you on board the "Queen" immediately.

Respectfully
Yr Obt. Sert
Peter Parker

To
J. P. Cook Esq
U. S. Marshall

Legation of the United States, Canton 25th Dec. 1854

At 9½ AM proceeded in the U. S. Chartered Steamer "Queen" to Whampoa where at my request James P. Cook, U. S. Marshall brought before me the eight seamen who had been arrested for offences committed on board the American Bark "Science", H. P. Peirce, Master, and F. B. Bird, 1st Mate of said Vessel were also present.

The said seamen were informed by me that they were not brought before me for trial, but to submit to them for consideration the provision of the 19th Section of the Act of Congress, approved 11th August 1848, entitled "an Act to carry into effect certain provisions "in the Treaties between the United States and "China and the Ottoman Porte &c." by which in certain Criminal Cases the parties aggrieved or concerned therein, with the assent of the Commissioner or Consul, may adjust and settle the same among themselves &c.

Six of the eight under arrest cheerfully availed themselves of the Provision and rather than to stand trial on the Charges brought against them chose to

Ship

ship on board the U.S.S. Macedonian, the consider-
-ation on which both parties agreed to adjust
and settle the case, and to which I officially
assented, as just, and under all the circumstan-
-ces as expedient and proper.

The remaining two George Mills and
William Sweetman claiming to be British Sub-
-jects, preferred to stand trial, and were committed
accordingly

By order of Captain Abbott the six
were received on board the "Macedonian" and
the two, placed in custody on board the U.S.S.
"J.P. Kennedy", subject to the order of the U.S.
Commissioner for the time being.

D. Porter

11

United States Steamer "Queen"
Whampoa, 25th Dec. 1854

We, the undersigned, now under arrest on charge of Mutiny on board the American Bark "Science", assault and abduction of the 1st officer T. B. Bird, and a threatened breach of the peace, do avail ourselves of the provision of the 19th Section of the Act of Congress, approved 11th August 1848, and from our free choice prefer and agree to ship on board the U. S. S. "Macedonian", rather than to stand trial for the offences with which we are charged, the same having received the assent of the U. S. Commissioner as provided in said Act.

/Signed/ John Lewis
John Allgier
William Bell
Daniel Shean
Charles E. Edes
Charles Labdon

Witness
/Signed/ James P. Cook
U. S. Marshall

12

United States Steamer "Queen"
Whampoa, 25th Dec. 1851

We, the undersigned, so far as personally interested in the case of John Lewis, John Allgier, William Bell, Daniel Shean, Charles E. Edes, and Charles Labdon, charged with Mutiny, Assault & Abduction &c. on board the American Bark "Science", Whampoa, hereby give our full consent and agreement that the above named be exempted from further prosecution, on condition of their now Shipping on board the U. S. S. "Macedonian", which adjustment we make under provision of the 19th Sec. of the Act of Congress approved 11th August 1848.

/Signed/ H. P. Pierce
Master "Science"
F. B. Bird
1st Mate

Witness
/Signed/ James P. Cook
M. S. Marshall

13

U. S. S. "Queen", Whampoa
25th Dec. 1854

Capt. Joel Abbot
Senior Officer, Commanding
U. S. Naval Forces in China Seas &c.

Sir,

The Seamen, whose names are subjoined, charged with Mutiny, Assault and abduction &c. on board the American Bark "Science", Whampoa, having availed themselves of the provision of the 19th Sec. of the Act of Congress, approved 11th August 1848, now voluntarily offer to Ship on board the U. S. S. "Macedonian", and await your instructions on board the U. S. S. "Queen".

Very Respectfully
Your Obedient Servant
Peter Parker
Acting Commissioner
U. S. A. China

John Lewis
John Allgier
William Bell
Daniel Shean
Charles E. Edes
Charles Labdon

Consulate of the United States
of America, Canton, 30th Dec 1854

J. P. Cook Esq
U. S. Marshal
Whampoa.

Sir,

Capt. Behm of the "Staghound" advises me that certain men who came to Whampoa in his Ship, under American protections, are at present in the fort of the rebels at Whampoa, having been engaged in the action yesterday;— on receipt of this, I have to request that you will apply to Captain Abbott of the "Macedonian" for such assistance as may be necessary, and have these men arrested, holding them in irons to my Order.

Your Obt Servt
(Signed) Rob. S. Sturgis
Vice Consul

15

United States Consulate
Canton, January 1st 1855

Sir,

I have to advise you that the United States Marshall at Whampoa, has arrested under my instructions, James L. Seymour & Charles Thompson, Citizens of the United States, who have been engaged in acts of piracy against native trading jinks, and taking an active part in the late attack against the government forces at Whampoa.

If your powers enable you to try these men under the Consular law of the United States, I await your instructions regarding them; otherways I shall take the depositions of the witnesses and forward the same, with the prisoners, to the United States for trial.

I remain

Your Obt Servt
/Signed/ Robt. S. Sturges
Vice Consul

Rev. Peter Parker
Charge d'Affaires, United States of America
Canton

16

Legation of the United
States, Canton, 6th Jany 1855

Sir,

In reply to your note of the 1st inst. advising me that the United States Marshall at Whampoa, had arrested under your instructions, James Seymour & Charles Thompson, Citizens of the United States, on the charge of piracy and participation in the late attack upon the government forces at Whampoa &c. I have to state that the act of Congress approved 11th August 1848, extending the Laws of the United States over their Citizens in China, contains ample provision for all crimes committed by Citizens of the United States within the dominions of China.

The U. S. Marshal has been requested to bring before me for preliminary investigation the said James Seymour & Charles Thompson, at 12 o'c. this day, and I request your presence at the examination of the witnesses at that hour.

I remain

Your obedient Servant
Peter Parker

Robt. S. Sturges Esq
U. S. Vice Consul
Canton

17

Consulate U. S. America
Canton, January 6th 1855

Sir,

I am just in receipt of your communication informing me that you will hold a preliminary investigation at 12 O'clock today, relating to the piracy committed on the 'Staghound,' by two Americans arrested by Mr. Cook, U. S. Marshall.

Being about to depart for Hong Kong on important business it will be impossible for me to attend.

I would advise you that within two days past the communication between Whampoa & Canton has been entirely cut off by the Rebels or Pirates, for all Cargo boats to and from the Foreign Shipping.

I remain
Your Obt Servt
Signed, Robt. S. Stringes
U. S. Vice Consul

To
Dr. Peter Parker
U. S. Secretary of Legation
Canton

Consulate U. S. America
Canton, 1st January 1855

Sir,

The Act of Piracy that occurred alongside or astern of the "Staghound" yesterday having been brought immediately to the notice of Captn. Abbott of the "Macedonian" who was on the spot at the time, I supposed he would take steps to recover the property & secure the offenders if possible, but I am advised that while he promptly effected the first, no steps were taken to secure the men who committed the piracy.

On receipt of this, I have to request you will apply to the Macedonian for assistance, which will doubtless be granted if necessary & secure as many of the people who were engaged in the act of piracy, as the Officers or Chinese of the Ship can identify.

On advice of your action under these instructions, I shall immediately communicate with the respective foreign Consuls relative to any of their subjects that may be taken, & with the Mandarins relative to any Chinese prisoners, meanwhile I have no doubt Captn. Abbot will assist you in retaining them for a

day

day or two till they can be otherwise disposed of.

Your Obed't Serv't
/Signed/ Robt. S. Sturgis
Vice Consul

To/
I. P. Cook
U. S. Marshall
Whampoa

I hear that the Rebels or Pirates threaten to burn Whampoa today, if the report is true, I should request that the American property stored there may be pointed out to Capt.n Abbot

/Signed/ R. S. S.

Cum Sing Moon, Jany 5th 1855

At an enquiry held this day by Captain J.B. Endicott on board the "Ruparell" under his command, the following facts were elicited in regard to the Killing of a Chinaman on Shore at this place, said to have been done by some of the Crew of the above named Ship on the evening of the 24th Decr 1854 viz;

Ahung a Tailor on Shore says that on the 24th Decr the 2nd Shroff of the "Bombay" with two Boys and 2 or more girls were to dine together / they being women of the Town / when two or more of the "Ruparell's" men interfered and wanted the Women which led to a fight among themselves, when some other Chinese engaged in the quarrel, among whom was the workman of the Tailor who was badly cut and stabbed and died in consequence of the Wounds the same Evening.

He does not know who Killed the man and indeed knows nothing except from Hearsay.

Ayune. Carpenter of the "John Adam" says he was on Shore when the fight occurred - don't know how it commenced.

Only

only saw the men cutting and beating the Tailors man. Did not see any arms in the Hands of the deceased. Says he saw the Malays, "Alley" "Mahomet" and one other named or called "Ouserman", all three belonging to the "Ruparell" pulling the deceased by the Tail after he was cut.

The 2nd Shroff of the "Bombay" says he knows nothing about the Tailors man. Only knows the fight commenced as told by the others. Caffra Boy says he saw the Tailors man come out of the House with two Swords or Knives and he saw "Alley" the Malay stab him in the side and another Malay cut him across his neck. He says Himself, the Serang and four others were on Shore. That he was in the Water Boat when the Serang came to him, and asked him why he did not go to the assistance of the rest of the Crew. He did go up and saw the man run out of the House and soon after coming out, he was knocked down by the Serang and that "Alley" stabbed him and another Malay cut him across his neck.

The "Serang" of the "Ruparell" says he knows of the Fight. That he took away the Swords from the Tailors man but

did

did not mix any further in the matter himself, but came off on board as soon as he had got the Swords. He says the Tailor's Man did have the Swords and he took them away from him. He says Lots of Chinamen were about and threw Stones at them.

Legation of the United States
Commissioner's Court
Canton, 6th Jannary 1855

Court of inquiry, case of James Thompson and Charles Seymour, charged with piracy and taking part in the Rebel Service against the Government of China.

James P. Cook Esq, U.S. Marshall, Stated "On the 31st Dect I was directed by Mr. Sturgis the U.S. Vice Consul, to apply to Capt. Abbott, and to go to the Blenheim Reach Fort and arrest all American Citizens engaged in the fight on that day (the 29th Dect.) Capt. Abbott furnished a boat and I arrested (the prisoners) on the 1st Jannary Thompson, at the Fort, and Seymour at the Boarding House of "Swicar", alias "Old Dick." Both the prisoners came with me volunt arily. I took five men from the Fort to the "Staghound" and referred to the Ship's papers and found all but Thompson were British Subjects, and let them go.

James Thompson Stated that on the morning of the 29th Dect he was asked by some Europeans, names unknown to him, to go and

and help the Rebels fight that day, who promised him a share in the prizes they might take, and that he consented not knowing it was against the law.

"I have not received any prize money. When Mr. Pratt, 1st Officer of Staghound, hailed me I could not hear what he said. Did not hear him say it (the sugar in the boats) was American property

I was born in New Hampshire.

Charles Seymour, a Mulatto, stated, he hailed from Connecticut U.S.

"On the morning of the 29th Dec. 1851 a party of Europeans asked me to join in the fight that day and if they won I should share in the prizes, if they lost the Governor at the Fort would give a handsome present on our going up to the Fort. I was appointed to stay on board one of the junks that night & guard it. Next day I went up to the Fort and saw one of the Chinese Councillors, who said he could not settle with me then as the prizes had not been valued. I walked about, and in three hours, he said he had no further service for the present, and we returned to Whampoa.

William F. Pratt, 1st Officer of the U.S. Merchant vessel "Staghound" being duly sworn Testified, "On the 31st Dec 1854 about 3 P.M. I was on deck of the Staghound, when four medium sized boats bearing a red flag, with men wearing red turbans and sashes approached and cut away three Chop boats laden with Sugar for the "Staghound", made sail & in a few minutes, say five, took the three boats away

I called on them to desist telling them the boats contained American property, but they paid no regard. On board were about a dozen Europeans, three of whom I recognised, & among them Charles Thompson. The boatmen in the Chop boats made no resistance. It under the impression that Thompson had a sword but cannot make oath to it.

(Signed) W. F. Pratt

William Dolan, Sail Maker on board the U.S. Merchant vessel "Staghound", being duly sworn, testifies— I am a Sail Maker on board the "Staghound". About 3 o.c. P.M. on the 31st Dec 1854 I was on deck when a boat that had been anchored above us,

got

got up anchor and joined by two or three other boats, all bearing a red flag, and came and cut away three Chop boats laden with sugar for the "Stag hound," hoisted sail and took them away immediately.

I saw a number of Europeans in the red flag boats and recognised Charles Thompson, think he had a short knife or sword, but cannot swear to it. I did not see him take any part.

/Signed/ Wm. Dolan

Three witnesses on the part of Charles Seymour appeared to swear an alibi, but as there was no evidence whatever against him, save his own confession, these witnesses were not examined.

Seymour was apprised of the law forbidding taking part in the Revolution, warned and acquitted.

James Thompson was committed for trial.

Peter Parker

Legation of the United States
Canton, 8th January 1855

Sir,

Please to deliver William Sweetman and George Mills, claiming to be British Subjects and who were concerned in the illegal acts on board the American Bark "Science," to H. B. Mis Vice Consul at Whampoa, who is advised respecting them. At the same time you will inform Capt Pierce and F. B. Bird, that they must present their charge against these men to Mr. Vice Consul Bird, within twenty four hours from the time you deliver them over. I have only time to add my thanks for your important report of the action of yesterday between the Imperialists & Rebels.

Your Obt. Servt
Peter Parker

J. P. Cook Esq
U. S. Marshall
Whampoa

22

Legation of the United States
Canton, 11th January 1855

Sir,

Now are hereby requested and authorized to receive into your custody for safe Keeping, at the hand of the bearer Mr. Pierce, five Malay prisoners, names not specified, charged with the murder of a Chinese subject on the 24th Dec. last, said prisoners alleged to be under the United States Flag.

You will hold the same subject to my orders.

Respectfully
Your Obedient Servant

Peter Parker

James P. Cook Esq
United States Marshall
Shanghai

2 3

U. S. Legation
Canton, 14th Jany 1835

Sir,

Referring to our conversation of this afternoon, I now write to request that no steps be taken for bringing up the Witnesses in the case of the Malay Prisoners till you hear from me again, as I have decided to postpone the trial for a time that each step may be taken with due deliberation.

Enclosed I beg to hand you the promised printed Notification and Regulations.

Very Respectfully
Your obt Servt
Peter Parker.

Capt. J. B. Endicott
Cumsingmoon.

A

Legation of the United States
Canton, 25th January 1855

Sir,

The five Malays charged with the death of a Chinese subject on shore at Cumlingmoon on the night of the 24th Dec 1854 now in custody of the United States Marshal at Whampoa, I find on investigation, cannot be tried by the United States Commissioner's Court in China, for want of jurisdiction.

It appears these men have never been shipped on board the vessel under your command, as the Statute laws of the United States provide all seamen shall be shipped. They have simply been entered upon the muster roll of the ship, going & Coming at longer or shorter intervals for the past three or four years, & consequently do not come under the jurisdiction of the United States flag.

As in the case of the Malay, formerly belonging to your vessel, who caused the death of an American Citizen at Whampoa the last year, and which His Excellency Robt. M. McLane / Letter to D.N. Spooner Esq 26th June 1854 / decided could not be tried by Consular, or any other legal tribunal of the United States in China, as in the

present

present case I conceive the Chinese the only authority that has legal jurisdiction over said prisoners, and I shall dismiss them accordingly.

I avail myself of this occasion to call your attention to the law of the United States providing for the due shipment of seamen in the Merchant Service, and to the necessity of conforming thereto.

I have the honor to remain,

Sir,

Respectfully Your obt. Servt

Signed, Peter Parker

acting Commissioner &c

United States of America

China.

To

Capt. J. B. Endicott

Cumsingmoon

25

Legation of the United States
Canton, 25th January 1855

Sir,

It appearing that the five Malays now in your custody, do not come legally under the jurisdiction of the United States laws, they are accordingly dismissed from your custody, and you are hereby authorized and instructed to deliver them to Capt. J.B. Endicott

Respectfully
Your obt. Servt
(Signed) Peter Parker

To
J. P. Cook Esq
United States Marshal
Whampoa

2

Whampoa Janᵛ 9th 1855

Dear Sir,

I wish advice from you upon what course I should pursue in regard to affording Surgical aid to the wounds of both belligerant parties.

I have performed several capital operations upon the wounded rebels; I yesterday visited the patients at the rebel encampment and must go again tomorrow. To day two of the principal rebel chiefs came to my shop in a large boat to thank me for my kindness to their men.

If the Mandarins should hear of this matter they may dislike it and do some mischief to the Bethel in which I reside — Therefore I wish them to understand that I render my services altogether through motives of humanity and that I am ready to afford to them the same assistance should they require it — as a proof of this I will say that after the engagement of the 28th ult. I went on the paddy field near where the Imperialist Junk was blown up and found the Capt. of her laying in the mud and water wounded in seven places. I had him taken to the Hospital

dressed

dressed his wounds and kept him until he was able to go in a boat down to the bogues. To day I dressed the wounds of two poor Chinamen who were stabbed by the rebels in several places for taking produce to the Canton Market. I also amputated the leg of a poor little girl who was wounded by a shot from the Imperialist's guns on the 28th

If the Bethel was my own property I should not give myself any uneasiness about the matter but as it belongs to the Community, I do not feel myself at liberty to endanger it without asking you to communicate with the Mandarines and explain the matter so that they may fully understand my position.

I am well convinced from what I have seen and from what I can learn that Canton will be captured soon. That an attack, and a desperate one will be made soon I have every reason to know, the exact time of which I will know as soon as it is determined upon by the rebels.

By complying with the above re-

quest

request (if you think it advisable) you with

greatly oblige

Your obt. Sh

(Signed) A. Gregg

Rev: Peter Parker M. D.

U. S. Chargé de Affairs &c &c

Canton

China

27

Legation of the United States
Canton, 10th January 1855

Dear Sir,

In reply to your inquiries of yesterday, I would say, go on as you have begun. Your course is sustained by numerous precedents both at Canton & Shanghai. When next I have occasion to address the Imperial Commissioner, I may have occasion to advert to the state of affairs at Whampoa, when the humane and impartial motives and principles that guide you may be explained.

I have to thank you for the information of the designs of the Rebels upon Canton, and shall be much obliged for the earliest intelligence of their future movements.

Very Respectfully
Your Obt. Servt
Peter Parker.

A. Gregg M. D.
Whampoa.

Award

Case of Messrs. S. W. Goodridge & Co, New York, versus Gow Kwa, Canton, the former claiming of the latter $1840.34/100 amount of loss by damage on Matting per "Countess of Seafield."

In examining the Documents submitted in this case, on the part of Messrs. S. W. Goodridge & Co, and the statement made before me by Gow Kwa – two facts are established.

First. The evidence is conclusive of the Matting having been damaged at the time of sale, involving the amount of $1840.34/100 loss.

Second. How the damage was occasioned does not appear, and has not been proven.

The Claimants, as per their letter of 8th February 1853 imply a suspicion of sea damage. "The Goods per Countess of Seafield" have been all received, and a great part of them in bad order. We do not wish to have goods shipped in vessels of her class &c. In their letter of 6th July 1854, the damage is attributed to false packing.

But the testimony to the character of Gow Kwa for honesty, and to the superiority of his Matting over that of other manufacturers,

is

is ample. The statement of Gow Kwa is, that subsequently to receipt, by the agents in Canton of Messrs S.W. Goodridge & Co of intelligence of the state of the Matting when sold in New York, he was asked by said agents, ignorant of the occasion of the question, if he had any of the same Matting remaining. He replied there were 1000 Rolls originally purchased, but on shipping off the vessel could take but 850 Rolls, and that the Balance of the Chop then remained in his Ware House, and on being examined by said agents was found in good Condition. He was afterwards informed of the fact of the Matting shipped being damaged, but no complaint was made against him. He further states the impracticability of fraud on the part of his workmen, that he superintends in person the packing of every roll, and examines its dryness

This Case being referred to me for arbitration, in the uncertainty of the Cause of the damage to the Matting, and in view of the circumstances above stated, and the various documents submitted, I decide that the $1840.34/100 loss from damage, without interest, be equally sustained by Messrs S.W. Goodridge & Co on the one

hand

hand, and by Gov Kwan on the other.

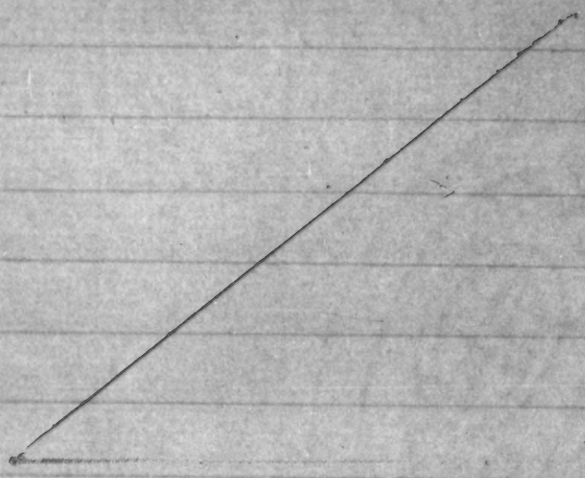
Peter Parker.
Acting Commissioner and
Chargé d'Affaires U.S.A. China

Legation of the United
States, Canton, 9th January 1855

Award accepted
(Signed) Wetmore & Co Agents for Messrs S.W. Goodridge & Co

(Signed) 花押

(L.S.)



"C" Dispatch No. 2 – 12th February 1855

29

United States Consulate
Foo-Chow-foo, 12th Jany 1855

Dear Sir,

I have the honor to acknowledge the receipt of your communication of 11th of Dec together with the "Notification to all Citizens of the United States," also the regulation issued by His Excellency R. M. McLane – respecting "Neutrality and non-intervention," the latter I herewith return, signed as requested. Since my arrival at this port everything connected with American Affairs has been very satisfactory, no difficulty whatever has been experienced by any Citizens of the United States. They have purchased Land, built houses for residences and places for business wherever and whenever they desired, and without any interference from the Authorities or Citizens of China – while this state of things has existed so far as we are concerned, quite a different state of Affairs has existed so far as British Merchants are concerned; they have been subjected to great inconvenience and annoyance, not only in obtaining Land but in getting the titles after they have obtained it – such have been the troubles

and

and difficulties that the British Consul suspended all correspondence with the Authorities here for a Month, resuming again a few days since in consequence of a promise from the Prefect that the Land question should be satisfactorily adjusted. The Prefect agreed to adopt a Form of Lease drawn up by the late Acting British Consul H. R. Gingell Esq.

On the 1st inst. the Prefect sent a long communication to me, requesting me to compel all American Citizens to adopt the same form, whenever they Leased Land. Not being willing to do any thing calculated to disturb the present arrangement, and fearing that if I consented to any particular form, we might have difficulty in obtaining the consent of the owners of Land to it, while they might be willing to give a form just as binding and full as acceptable to Americans, I determined to call a Meeting of our Country men and obtain their views in relation to the subject. the Meeting assembled (every Citizen of the U. S. residing here being present) and after a full discussion of the

question

question it was unanimously Resolved That we could gain nothing by adopting the particular form, and might be placed in a position not as favorable as the present. I therefore declined acceding to the Prefects request principally upon the ground, "that everything relating to Land was managed very happily between the American Citizens and those of China; and that so long as this state of things continued, any interference on my part, would do more harm than good".

The communication of His Excellency R. M. McLane, to the Vice-Roy of this Province, which you forwarded to me was (as appears by Copy) occasioned by a letter from my predecessor Mr. Clark, dated Augt 15th 1854. since that time an entire change has taken place here relative to the Land question, and now instead of troubles and vexations we have peace and tranquillity.

Under these circumstances and in view of the fact, that a very short time since I stated to the Prefect that all was harmony, I thought it best not to send Mr. McLane's

Communication

communication to the Vice Roy. In taking this step I have been governed entirely by the belief that you would have done the same had you known the facts as they now exist. I sincerely trust that my conduct in this matter will meet with your approbation.

The rapidly increasing trade at this Port and the numerous Pirates about the Harbor, renders it necessary that our ships of war should visit us as frequently as possible, and I sincerely hope the Commanders of the same will be so requested.

I have the honor to remain
Your Obedient Servant
(Signed) Caleb Jones
U.S. Consul.

To)
His Excellency
Peter Parker
Acting U.S. Commissioner &c
Canton, China

Legation of the United States
Canton, 22nd January 1835

Sir,

Your Despatch of the 12th inst. and its several enclosures have come duly to hand, and it affords me great satisfaction to learn that under your judicious management, a most desirable state of our relations to the Chinese Authorities at Tuh. Chow has been brought about, and I feel assured that no efforts will be wanting on your part to preserve & extend friendly relations.

The Despatch of his Excellency R.M. McLane was designed to accomplish an object, but that end having been gained before its receipt, you have exercised a sound judgement in not transmitting it.

The unanimity of our countrymen at your Port promises well for the agreeableness & success of your official and social intercourse.

Your claims upon our Government & Vessels will not be forgotten, but will be duly urged upon the favorable consideration of Commodore Abbot,

but

but just now it is beyond the bounds of possibility for any one of our men of war to visit you. The "Powhatan" sailed for Japan on the 16th inst. and will return to Shanghai, and there be relieved, according to present arrangements by the "Macedonian", and unless in the meantime the "Vandalia" is able to call at Foo-Chow, I shall request that the "Powhatan" may, which will be probably sometime in March. Canton is now besieged by the Rebels who muster a formidable force under one Chin Hein Leang and before this reaches you something decisive may take place. From the local journals you will learn more particulars than I have time to write.

I have the honor to remain
Sir,
Very Respectfully
Your Obt Servt
(signed) Peter Parker

Caleb Jones Esq
United States Consul
Foo-Chow-foo

United States Consulate
Shanghai, 22nd January 1855.

Sir,

I have the honor herewith to acknowledge the receipt of your favor dated 5th inst. as also a letter to H.E. Gov: Keih, which I gave immediate despatch.

Affairs have been complicating more & more day by day at this Port, ever since the Wall was undertaken. The fact of having no assistance in my office will deprive me I fear of communicating freely with you, however much I might like so to do, and at the same time keep the Dept. fully advised, according to my instructions received at Washington Sept 20th 1853. Therefore if it is possible I will send you a copy of my dispatch by the next mail.

There is nothing which can be done to ameliorate the present existing state of affairs. And I have taken my position on the Treaty, and there I shall stand, exacting redress from any & all parties who may infringe the rights & privileges therein contained.

Diplomacy with the Chinese is a game at which Western Nations must

must play at a great disadvantage, not being allowed by their rules of honor & integrity to resort to means, which are acceptable, and always adopted by others when necessary. Of late we have had good proof.

H.E. Gov: Keith refused some weeks since to pay for the Mission Houses which had been destroyed by the Wall. I therefore cut off all intercourse with H.E. About two weeks ~~since~~ after this summary proceeding H.E. sent me word, if I would come to his camp I should have the money required. Accordingly on the 15th inst. I visited H.E. at his Camp and received Eighteen Thousand Dollars, which I have divided as equitably as poseible between the following named persons. Culbertson, Yates, Cunningham, Jenkins, Wardner, Carpenter and Cabiness, taking from them Receipts acquitting the Impl. Government from all further claim for their houses. The Impls are trying to build forts on the sites of these Houses, but have been driven off each time they have made the attempt. H.E. Keith is this day by means of armed men clearing out the

poor

poor Chinese on the Yang-King-pang in accordance with the agreement of the 6th, and they are swearing vengeance against the foreigners. My colleague Mr. Alcock I am sorry to say has mixed himself up too much in this matter.

While H. E. Mr. Mc. Lane was here I did all in my power to forward his views, without reference to my own. But so soon as he left, I have fallen back on the supreme law of the land, the Treaty, and there I propose to base all my movements, using all the means in my power to compel a strict compliance therewith, whenever necessary.

The result of the attack on the City by the French, of course you are aware, and I will only add my testimony to the unfortunate result, and its consequences. They have received some fresh ammunition from Hong Kong and we are expecting daily they will make another attempt.

I have made great efforts to get down to you by this mail the judicial return of Cases &c &c current for the year 1854, but although I am paying a clerk $2. per day out of my own pocket to assist me,

still

still I shall be obliged to trespass on your forbearance till the next. My family are all well & desire to be remembered.

Very Respectfully
Your most obt. Sevt
/Signed/ R. C. Murphy
Consul.

To/
Peter Parker Esq
U. S. Commissioner
&c &c &c
Canton

3d

Legation of the United States
Canton, 30th January 1855

Sir,

I have pleasure in the receipt of your note of the 22nd inst. indeed, amid the conflicting representations of affairs at your port, I have been much embarrassed, by the absence of all public intelligence from you since the departure of his Excellency Mr. McLane.

You may not be aware that every thing received by the Legation from the different Consulates goes forward in due course to the State Department. I presume your instructions do not materially differ from those generally given to Consuls residing in a Country where the Government of the United States has a diplomatic representative, (vide Gen. instructions to Consuls. 1838. Chap 5th) or from those of your predecessors, who for a series of years have kept this Legation advised of whatever of a general & public nature has occurred at your port, and unless you continue so to advise the Legation, it must depend upon the public journals, & information from private & perhaps irresponsible sources for

the

the data by which to guide its action & instructions, in relation to the subjects which come properly under its jurisdiction. Whatever does not come under the cognizance & control of the Commissioner in China it will be unnecessary to communicate to him, and vice-versa.

I learn with satisfaction that by your firmness & tact you have succeeded in obtaining indemnity for losses sustained by our citizens by the destruction of their houses & property. For in addition to their claims under the Treaty, there existed a pledge on the part of H. E. Governor Keih, given in my presence, that if they would leave their houses, he would indemnify them for any consequent losses.

I am not certain that nothing can be done to ameliorate the existing state of affairs at Shanghai, but I am deprived of learning more fully from you what that state is. The copy of your despatch to Washington may supply that deficiency.

You stand on safe & tenable ground so long as you adhere to the Treaty, & to a strict & impartial neutrality. His Excellency

Mr

Mr. McLane in a letter received from him since his departure from China, reiterates his sense of the importance of this. His injunction is "adhere to the doctrine laid down "by me in my last interview with Gov: Keih. "Whatever the Treaty requires we will faithfully "perform - but nothing more, and we exact "of him (Gov: Keih) the same fidelity with- "out unreasonable demands upon us; acting "on this honorable principle we will have "a clear conscience, and let the consequences "be what they may, we are ready to meet them."

I am happy to perceive by the tenor of your dispatch before me you are already imbued with a sense of the importance of a rigid neutrality as respects the civil dissensions in China; yet in an official report of a British officer I regretted to notice in one instance you were in danger of departing from it, when in conjunction with H. B. M's Consul you called upon those in possession of Shanghai City to surrender. You had gone to the extent of your obligations, when, if such were your convictions of what was best under the circumstances, had you volunteered your friendly counsel to them so to do.

Your

Your dispatch, private letters and the public journals from Shanghai, excite serious apprehensions of fresh dangers to the tranquil-lity & even safety of the foreign settlement, from the populace, whose violence & revenge is more to be feared than that of Imperialists or Insurgents - with the two latter there is a sense of responsibility, but not so with an injured & incensed mob. I am unwilling to believe that it is an evil without a rem-edy. If there be injustice & inhumanity, it should be ascertained at whose door they lie. If the Govt is exercising its might rather than its right, it is a fit occasion for the remonstrance of the Consuls, and should that be unavailing, I respectfully suggest whether it may not be the least of two evils for the municipal-ity, which is to be essentially benefitted by the extension of the street along the Creek, to indemnify the poor Chinese who are thus involved in the loss of their homes in an inclement season, Economy setting aside humanity, may dictate this course. The compensation that will satisfy them will be a trifle, compared to the sacrifice of property & even life,

in

in the event of a popular outbreak, and by so doing, a sense of gratitude & respect for the liberality of foreigners will take the place of animosity & a spirit of revenge.

Commodore Abbot has furnished me with a copy of a note to him from Comr Pope, under date of 12th January stating that "it is well known there are in the City "some thirty or more foreigners, in the employ "of the Rebels. And I have reason to believe "that most of them are deserters from men "of war & merchant ships, & possibly some "from this ship / the Vandalia / & the Hancock."

This subject has already attracted my attention in the South, & the same law applies both in the South & the North. I therefore enclose you my notification to all U.S. Citizens in the service of Chinese in arms against the government; also my communication to one of the Rebel Chiefs calling upon him to dismiss the same from his service, that you may make the former known to any citizens of the U.S. at Shanghai, similarly situated, and request that you will address a like communication to the Chief or Chiefs, who are employing them. If upon

receiving

receiving the notice the Citizens so offending shall at once quit the service & return to their allegiance, the law of 1818 of which they may be ignorant need not be enforced in regard to them; But if after due warning they still persist in the violation of that law, & they come within your power, let the law be enforced. In your efforts to arrest any such, you will be careful not to initiate measures that will or may, by any possibility involve collision with the rebels, or a resort to force. Should any be guilty of the crime of desertion, they can not plead ignorance of law in extenuation of their guilt, & if they have deserted from a government vessel, you have but to turn them over to the Naval Authorities; if from the Merchant service, they will be amenable to the Consular Court.

Are any Citizens employed in the Imperial service, the "Notification" and Regulations" of the 5th of December will apply. The 29th Art. of the Treaty provides for the rendition of deserters, and here the doctrine laid down & insisted upon by both Civil & Naval Authorities of Great Britain & the United States is,

that

that the Treaty is binding upon every subject of China, without distinction, and you may therefore appeal to this article also in your application, not demand, lest you should be under the necessity of enforcing it, to the Rebel Chiefs.

Very Respectfully
Your obedient Servt
(Signed) Peter Parker
Acting Commissioner &c
of the United States in
China

To
R. C. Murphy Esq
&c &c &c
U. S. Consul
Shanghai

U. S. Ship Vandalia
Shanghai, January 12th 1855

Sir,

It is well known that there are in the City, some thirty or more foreigners, in the employ of the Rebels, and I have reason to believe that most of them are deserters from Men of war and Merchant Ships: and possibly some from this Ship and the Hancock.

In the event of my ascertaining such to be the fact, and in case of my demanding them and being refused by the Rebel Chiefs, I wish to know what measures I am then to adopt?

I am
Very Respectfully
Your Obt Servt
(Signed) Jno. Pope
Commander

Captain
Joel Abbot
Senior Officer Comdg
U.S. East India Squadron

"D" Dispatch N.2 - 12th February 1855

Hong Kong
14th January 1855

Sir,

I have the honor to acknowledge the receipt from Your Excellency of letter No. 18. accompanied by letters from His Excellency Sir James Stirling & Mr. Walker Superintendant of the P. & O. Co, and requesting my advice as to the protection which British Merchants & Ship owners are entitled to claim under the existing complication of Chinese Affairs. It is with the greatest diffidence, that on a subject strictly of international law, I can presume to offer advice to Your Excellency, who has had so much more experience than myself in topics like the present, which do not come within the ordinary routine of a barrister's practice; but I have given the existing case my fullest attention, & having formed a strong opinion upon it, I am glad that you have been good enough to afford me an opportunity of stating it.

I will premise that I wish my observations to be considered as confined

to

to Canton, and the adjoining districts.—
H.E. Sir J. Stirling appears to take it for
granted that the hordes now gathered
around Canton have a legal right to
blockade that place, that they have
declared their intention to exercise that
right, & that vessels violating such a
blockade would render themselves liable
to seizure.

I respectfully advise you, that com
granting the position that these hordes are
contending for the imperium in China
(which, as far as I am instructed, is
certainly not the case, nor has any
official knowledge reached you of the
fact), that Empire has, by a Treaty with
the English Empire, designated Canton
as one of the 5 Ports at all times to be
accessible to us for trading purposes, &
whoever succeeds to the Empire in China,
succeeds to its antecedent liabilities—
England has, so long as the Treaty continues
a right, regardless of whatever party may
hold supreme sway in China, to unin-
terrupted trade with Canton; a blockade
would be a curtailment of that trade, &
therefore is a course of proceeding which

no

no Chinese power has a right to adopt with regard to Canton.

But again; granting that a Chinese faction has a right to blockade Canton, the party styled by H.E. Sir J. Stirling "the insurgents" has no right, by international law, to institute a blockade; for a blockade can be lawfully made only by a Sovereign Power, & a blockade declared by individuals, however numerous & however powerful, is a nullity, so far as regards foreigners— these insurgents have no form of government, no leader bearing any recognized title— they are contending neither for an antecedent dynasty, nor for self emancipation — in fact they cannot legally be recognized as in existence as a power, & therefore they cannot institute a blockade.

Furthermore, a blockade must be publicly notified, & must be general, — otherwise a blockade is not to be considered as existing; neither of these requirements — exists within my knowledge in the present instance. For the foregoing reasons I respectfully advise Your Excellency that no state of circumstances can arise, merely between Chinese, by which Canton can be

declared

declared to be in a state of blockade as regards British Trade with it, & that British Merchants & Shipowners carrying on trade with Canton are still entitled to demand & receive the most ample support & protection, from both yourself & H.E. Sir J. Stirling, in the conduct of such trade.

I have &c.

/Signed/
William Thomas Bridges
Acting Attorney General

True Copy
/Signed/ H. Woodgate

Legation of the United States
Canton, 20th January 1855

Sir,

On the 28th ult. I had the honor to acknowledge Your Excellency's Communication of the 26th ult. pointing out certain errors into which the assistant Magistrate had fallen, complaining of sundry nuisances, and requesting Y. E. to instruct the local Officers to give effect to the Regulations of the Naval Authorities of England and the United States, and that they examine the regulations of 1844 and 1847 that they might be fully carried out &c. Some twenty days have now elapsed and no reply has been received, neither have my requests been attended to. I am therefore compelled again to address Your Excellency upon that subject, as well as other matters of public interest.

Your Excellency under date of 26th Dec. gave expression to the following sentiments, "In a word our respective countries having declared themselves friends, each should endeavor to help the other. On the one hand the Hon: Acting Commissioner has designed

excellent

excellent measures, and on the other, I, the Minister also have in his behalf managed properly &c.

No sounds are more grateful to my ears than the expressions of true friendship, and no sentiments more in accordance with my mind than those of cordial good-will. The law of Neutrality of the United States forbidding their Citizens from taking part in the Military Service of another Country, H. E. R. M. Mr Lane in December last arrested a United States Citizen who had entered the Military Service of the Government of China. On the 4th January, learning that other Citizens of the United States, either in ignorance, or in defiance of a specific law, had entered the Service of Rebels in arms against the Government of China with whom the United States had a Treaty of Amity & Commerce, I issued my Proclamation, informing said Citizens they were committing a Crime whose penalty is death, and on the same day demanded of the Rebel Chief to dismiss them from his Service at once, and both my warning and my demand, have been obeyed, and no United States Citizen to my knowledge is

now

now in the rebel service, thus I have evinced an impartial and true Neutrality.

I now renew my request, that Your Excellency in the spirit of your own sentiments above quoted, will comply with my request of the 28th ult. and lend a cordial cooperation in carrying out the Regulations adopted for the good of both foreigners & Chinese, and which measures H.E. acknowledges to be excellent. Whilst most anxious for the cordial and joint action on the part of the Authorities of China, on the one hand, and of those of Great Britain & the United States on the other, it becomes my duty to inform Your Excellency that in the event of that union of action being withheld, it is the determination of the High Naval Authorities from whom the Regulations emanated, at their discretion on a crisis of danger arriving, to carry them out.

On the 29th ultimo a hostile engagement having taken place in Whampoa Reach, exposing the lives & property of foreigners, the Rebel Chief has been warned against coming there again, and he has promised to obey, provided the Imperial men of war do not take refuge under the foreign vessels

and

and I am persuaded Your Excellency will understand the necessity of the case, when I respectfully solicit Your Excellency not again to allow the Government Vessels to make Whampoa Reach their battle ground to the jeopardy of the Shipping of friendly & treaty Powers, at the same time apprizing Your Excellency, that after mature deliberation, both the Commissioners & the Naval Authorities of Great Britain & the United States, have resolved, "that war be interdicted to both the Imperialists and Rebels in the neighborhood of the foreign Shipping."

Again, the Vice Consul of the United States has informed me that the communication between Whampoa & Canton has been entirely cut off by Rebels or Pirates, for all Cargo boats to and from the foreign Shipping." A similar representation having also been made by H. B. M's Consul, and the subject being one of common concern, the Civil & Naval Authorities of both Nations have furthermore determined that goods intended for Shipment at Whampoa for British or American account shall pass from Canton under the flags of the respective Nations & that the Consuls

shall

shall grant protective certificates to parties applying for & entitled to them, and whoever shall molest or rob the lighters so employed shall be regarded & treated as pirates.

Yet it is reported that the "Chop-boat" men, although thus protected, or even if towed to and from Whampoa by steamers, are still unwilling to be employed, which is a great detriment to trade and to the revenue. I therefore request Your Excellency to issue instructions to said lighters to return to their work without delay, which will be to the advantage of all concerned.

With sentiments of high regard,

I have the honor to remain
Your Excellency's
Obedient Servant
Peter Parker
Acting Commissioner &c
U.S.A. China

To
His Excellency
Yeh
Imperial High Commissioner
&c &c &c

(L.S.)

Yih, Hereditary Marquis of the first class of the 5th Order of Nobility, Governor General of the Leang Kwang, ex officio, a President of the Board of War, a vice guardian of the Heir Apparent, Minister & Commissioner of the Ta Tsing Empire, has the honor to acknowledge the receipt on the 21st inst. of the Hon: Acting Commissioner's despatch (of the 20th inst.) which I have perused and fully understand. I have examined and find that the different rebels on a former occasion created disturbances in the vicinity of Sin Tsaou, and at the time of their fighting with the Imperial troops, the said Commander, saw with his own eyes certain foreigners assisting the rebels in fighting & firing their Cannons &c. and I the Minister addressed the United States Consul to issue orders and prohibit it, which is on record. Now I have received your despatch stating that on the 4th inst. certain Citizens of the United States having entered the rebel service and taken part against the Imperialists, you immediately issued a Proclamation ordering the Rebel Chief to dismiss said Citizens from his service and that now not a Citizen of the

United

United States remains in the Rebel Camp &c.
This sufficiently manifests the Hon: Acting
Commissioner's friendly desire to strengthen
our amicable relations, & his detestation of
the evil as his own enemy, and I am
unspeakably delighted and satisfied. As
to the representations of the Vice Consul
that the communication by the Eastern
passage to Canton, had been cut off by
the rebels, so that the Lighters cannot
go and come with Cargo, and that the
British Consul had made a similar
statement, instructions had been given
to the Consuls to give a flag & Certificate
that if any one should molest or plunder
them upon the river they will be deemed
pirates & treated as such &c: this will
serve not only as a warning to the
rebels, but in passing the forts the
Certificates can be examined and the
Lighters allowed to pass, in order to
prevent the evil of said Rebels' boats
promiscuously entering also.

I, the Minister have heard the
Rebels have hired Portuguese, & different
Nations' Lorchas, and have taken other
boats, and changed them, giving them

the

the appearance of Lorchas, so that the true and the false are not distinguishable I have therefore now deputed Civil and Military Officers at the Wuh-Sha-wei Fort on the Eastern passage (Barrier forts?) to examine them, and at the Ta Wang Keaou Fort, (the round fort in the Macao passage) on the South, in order to prevent the rebel boats irregularly entering.

I have addressed the Consul to transmit his injunctions to the said Lorchas men for their full information.

As requisite I make this reply and avail myself of the opportunity to present my compliments &c

To/
His Excellency
Peter Parker
Acting Commissioner &
Chargé d'Affaires of the
United States of America to China
Heen-fung, 4th year, 12th m. 4th day
(21st January 1855)

Translated by
P. Parker

37

Whampoa, 21st January 1855

My Dear Sir,

Chin Heen Seang has sent a Messenger to me from the Fort to say that the forces will advance towards Canton tomorrow. At that time will soon arrive the truth of this will be tested. If anything transpires which corroborates his statement it will be immediately forwarded by your Obedient Servt

/Signed/ J. P. Cook

To/

P. Parker Esq

U.S. Commissioner &c. &c.

38

Canton China
January 15th 1855

Sir,

I have the honor to transmit herewith for your information, a number of resolutions, embodying the results of a conference held on the 11th inst. at the English Government House Hong Kong, between Sir John Bowring, Rear Admiral Sir James Sterling and myself, in reference to the various subjects of a conference had by you, Mr. Consul Robertson, and myself on the 8th inst at Canton, all of which are in accordance with your views as then expressed.

I am
Very Respectfully
Your Obedient Servant
/Signed/ Josl Abbott
Commander in Chief U.S. Naval
Forces in E. India & China Seas &c

To/
Hon: Dr. P. Parker
Actg U.S. Commissioner to China
Canton

1. It is determined that goods intended for Shipment at Whampoa for British or American account shall pass from Canton under the flags of the respective Nations, and that the Consuls shall grant protective certificates to parties applying for and entitled to them,— such Certificates to be returned to the Consulates and filed.
2. That on a Crisis of danger arriving, the arrangements proposed by the Naval Authorities for the defence of the Factories be carried out, whether with or without the consent and co-operation of the Chinese.
3. That war be interdicted both to Imperialists and Rebels in Whampoa Reach,- in the neighborhood of the Foreign Shipping.
4. That the Imperial Commissioner be again peremptorily called upon to lend his co-operation for giving effect to the measures proposed by the Naval Authorities and communicated to His Excellency by Sir. John Bowring & P. Parker on the 23rd December

40

United States Consulate
Canton, 1855

The Undersigned Vice Consul of the United States at Canton, hereby, certifies the Lighterman

and has been Authorized by me to fly the United States Flag, whilst going and returning.

Any person plundering or molesting this Lighter will be deemed a pirate and treated accordingly.

N. B. This Certificate must be returned to the Consulate on the completion of the trip, to be cancelled.

執照

大合衆國廣州代管事官施　諭現有西仄扁艇
戶　　請領
本國旗幟牌照理合准其張掛旗幟並給牌照
為據所有沿途人等不得擾害搶奪如敢抗違
即照賊盜同論立即嚴追查究決不寬貸此照

右給西仄扁艇戶　　執照

一千八百五十五年　月　日
甲寅　年　月　日

限回日繳

41

Cumsingmoon, 5th Feby 1856

Hon'ble Peter Parker,
Acting Commissioner &c
United States of America
China.

Sir,

Your letter of 27th ultimo relative to a conference between yourself and Commodore Abbot was received yesterday.

I notice Commodore Abbot has decided to take no measures for the recapture of any Junks or Boats in tow of American Steamers that may be captured by the so-called Rebels, but that in the matter of towing the same, has consented to remain "passive."

Will you please inform me whether it is the intention of Commodore Abbot to afford protection to the "Spark" if molested or captured while towing Boats or Junks loaded with Merchandize, and in the event of my buying or building Boats for towage by the "Spark," whether they would be entitled to protection.

I remain Sir - Very Respectfully &c

(Signed) J. B. Endicott

42

Legation of the United States
Canton, 4th Feby 1855

Sir,

I beg herewith to enclose a note from Capt. Endicott of the 5th inst. making farther enquiries relative to the subject of United States Steamers towing Chinese Junks and boats, which has attracted attention of late, and shall be glad to receive your view of the subject in the varied form in which this letter presents it.

Very Respectfully
Your Obt. Servt
(Signed) Peter Parker

To
Commodore
Joel Abbot
&c &c &c

43

Canton, 7th Feby 1835

Sir,

I have the honor to acknowledge the receipt of your note of this date, together with one from Capt. Endicott to you of the 5th inst. to which I respectfully reply, in addition to what I communicated in our conference referred to, that I am prepared to extend the protection of the Naval Forces under my command to all Vessels entitled to bear the U. States Flag while engaged in lawful Commerce & not conveying contraband articles of Merchandise.

Very Respectfully &c
(Signed) Joel Abbot
Comdr U. S. East India Squadron

To Hon:
Dr. P. Parker
U. S. Actg Commissioner to China
Canton

Legation of the United States
Canton, 6th February 1835

Sir,

I have the honor to be in receipt of your note of the 5th instant and herewith to enclose you a copy of a letter from Commodore J. Abbot of yesterday's date in reply to your enquiries

My inference from this note is that Commodore Abbot still adheres to his purpose of remaining passive as regards towing of Chinese junks & boats, but that all Vessels entitled to the United States flag engaged in lawful commerce, whether towed by a Steamer or otherwise, will receive his protection.

I remain,
Sir
Very Respectfully
Your Obedient Servt
/Signed/ Peter Parker

Capt. J.B. Endicott
Cumsingmoon

Legation of the United States
Canton, 20th January 1855

Sir,

Referring to that part of your note of the 6th inst. advising me that the Communication between Whampoa & Canton had been cut off by Rebels or Pirates, for all cargo boats to and from the foreign Shipping, I have to inform you that a similar representation having been made by B. Robertson, H.B.M's Consul, and the subject being one of common interest, the Civil and Naval authorities of England & the United States, having taken the subject into consideration have resolved,

"That goods intended for Shipment at Whampoa for British or American account, shall pass from Canton under the flags of the respective Nations, and that the Consuls shall grant certificates to parties applying for & entitled to them, such certificates to be returned to the Consulates & filed.

The Imperial Commissioner

Yeh

Yee has been informed of this arrange-
-ment, and you are hereby authorized
and instructed to carry out the
measure. Herewith I enclose the
form of Certificate tobe used by
both Consulates.

You are also authorized
to furnish the United States flag
and a similar Certificate, to any
United States Citizen applying for
the same, for fast-boats conveying
foreign letters to and from Canton.

Very Respectfully
Your Obt. Servt
/Signed/ Peter Parker
Acting Commissioner &c
United States of America
China

To
R. S. Sturgis Esq
United States Vice Consul
Canton

14

Legation of the United States
Canton, 15th January 1855

Sir,

I have to request that you will verbally inform the Rebel Chief, Chin Kew Leang, through any of his officers whom you may see, that his note of the 11th January has been received, (with the seal broken which was irregular) and that his complaint of foreign Steamers towing Chinese boats is not without some foundation, and that the subject is under consideration by the British & United States Civil and Naval Authorities, and that within a few days action will be taken in the premises, and instructions given to the Captains, or owners of the Steamers.

Respectfully
Your Obedient Servant
Peter Parker

J. P. Cook Esq
U. S. Consular Agent
Whampoa

Legation of the United States
Canton, 26th January 1855

To the Merchants and Citizens of the United States, residing at the Port of Canton, whom it may concern.

Gentlemen,

The accompanying correspondence between this Legation, and Captain J. B. Endicott is hereby circulated for your information and guidance, so far as the subject to which it relates, is of common concern.

I have the honor to remain
Respectfully
Your Obedient Servant
Peter Parker.

To/

Messrs. Russell & Co
" Wyl Brothers & Co
" Augustine Heard & Co
" Wetmore & Co
" King & Co
" James Pondon & Co
" Aloond & Co
W. C. Hunter Esq
H. W. Hubbell Esq and others.

Cumsingmoon, Janʸ 19ᵗʰ 1855

Honble Peter Parker
Chargé d'Affaires
of the United States of America
at Canton.

Sir,

I am in posession of your letter of the 17ᵗʰ instant requesting me not to bring to Canton for the present the witnesses in the case against the Malay prisoners which will be complied with.

I have to thank you for the printed notification and regulations, in reference to our conversation, and would say that the "Spark" in towing Junks laden with Pigs or other Maize is doing no more towards the support of the City of Canton, than the Vessels now discharging in Whampoa Rice and other goods that go direct to that City. as yet she has taken up nothing but trading Junks, and no munitions of War - the people downward are those deserting Canton with their all, knowing that in the event of the so called rebels taking the City, they will be plundered of everything, and probably murdered.

Should either yourself or Commodore

Abbot

Abbot wish her to discontinue towing I should prefer to be officially notified as the business is lucrative.

Perhaps it would be as well for me to take a chop from the so called rebel Chief for the Post Boats, altho' it might be acknowledging them as I hear that they have already been accepted for other and more important purposes.

I remain, Dear Sir
Very Respectfully
Your Obt. Servt
/Signed/ J. B. Endicott

Legation of the United States
Canton, 20th January 1855

Sir,

I have the honor to be in receipt of your communication of yesterday's date, and in reply thereto, herewith enclose you a copy of a notification this day addressed to the Rebel Chief at Whampoa, and which will go to him on the 22nd inst.

I am happy to have received the concurrence of Commodore Abbot in the principles and purposes contained in said notice, and still further gratified to learn that a similar policy has been adopted on the part of Their Excellencies Sir John Bowring and Sir James Stirling.

Respectfully
Your obedient Servant
Peter Parker

Capt. J. B. Endicott
Cumsingmoon

50

Legation of the United States
Canton, 20th January 1856.

To,

Chin Hew Seang
Rebel Chief. Whampoa.

This is to inform you that the legitimate trade between the United States & China, cannot be interfered with by any subject or number of subjects of the Empire of China with impunity.

The importation of Rice is specifically allowed and encouraged by Treaty, and the importation of any other article of food is alike lawful. The towing of Merchant junks and boats by Foreign Steamers is no new custom; is in accordance with the Treaty, and must not be interfered with. The towing of Men-of-War shall not be allowed, nor the importation of Munitions of War.

Repeated complaints have been made that even post boats conveying foreign letters have been molested in their passage to and from Canton by boats bearing your flag. Said boats will in future be furnished with a United States flag and passport from the United States Consulate, and whoever shall

molest

molest them in any way will be regarded and treated as Pirates.

Whilst determined to maintain the most impartial and strict neutrality, on the one hand, perfect respect for this Treaty will be required, on the other, by every individual of the Empire of China, without distinction.

Peter Parker.
Acting Commissioner &c
United States of America
China

(L. S.)

51

Legation of the United States
Canton, 27th January 1855

Sir,

Referring to my letter under date of 20th inst. I beg to inform you that on further conference with Commodore Abbot, it appears he only so far concurred in my notice to the Rebel Chief, of the 20th inst. that he approved of such notice being given to him, but in relation to the subject of United States Steamers, towing Chinese trading junks & boats, he will be passive, but in the event of junks and boats towed, being captured by the so called Rebels, he will not take measures to recapture them, or to obtain indemnity for losses sustained.

I am Respectfully
Your obt. Servt
(Signed) Peter Parker

Capt. J. B. Endicott
Cumsingmoon

5v

Head Quarters, Six Town
Blenheim Reach, 11th Jany 1855

Sir,

On a former occasion I received your despatch (of the 4th inst.) and the newly established Regulations, designed originally to promote Eternal amicable and friendly intercourse, and to each of these I will conform

I have now examined and find that for consecutive days Your Honorable and Great Nation's Steamers have been employed in towing back and forth the Manchow Men-of-war, which is certainly in violation of our amicable agreement Recently, in successive Naval engagements I have been victorious, and as to the wolfish officers, I think their comage is broken and their hearts congealed and I intend very soon to assemble my troops and enter and exterminate the Provincial City, in order to give to all the people, at an early day, free commerce, pleasure in their avocations, and quietude in their dwellings. Hereafter, I must pray Your Excellency the Commissioner, vigorously to injoin upon the Captains of the Steamers that they cannot tow the Manchow Men-of-war, in and out, in order to follow out what you have said on a former occasion, and to give effect

to

to the friendly principles of perpetual peace and amity, which is my most devout desire.
With Compliments &c

/Signed/ Chin Hien Leang

Kea Yin / 51st year of the Cycle /
11th Month. 23rd day / 11th January 1855 /

To
His Excellency the American Commissioner
/P. Parker/

Translated by
P. Parker

/L. S./
Seal of the Grand Chief
of Ten thousand men.

53

Notice.

All the Generalissimos Commanding Sea and Land Forces, troops and Cavalry, send this letter to Their Excellencies the Commissioners of each of the great Nations for their information.

When on a former occasion the Manchoo Nation entered and plundered /China/, they agreed at the expiration of two hundred years to deliver back the Rivers and Hills, /i.e. the Empire/ to our Ming Sovereign. Now two centuries have passed, and they are unwilling to deliver back the /Empire./ Therefore we have raised troops to exterminate and blot out the Manchoo Nation, and restore the Country to the Sovereign of the Ming /Dynasty/.

Hoo-Nan, Hoo-Pih, Keang-So, Gan Hwuy, Nan-King, and Kwang-So, have all returned, and Show-Ting-foo in Kwang-Tung, Hwa-Hea, different Departments and Districts, all have heard the report and have reverted to /the Ming Dynasty/ and only the Provincial City /Canton/ has not yet submitted. Just now we are entering it with our troops to fight and exterminate it, but the Merchants of the different great Nations have again

and

and again employed Lorchas and other vessels, using rice to cover up powder, being conveyed to the Provincial City, and their Cannons they pretend are to guard against Pirates, but in truth are sold to the traitorous officers, which is most unreasonable.

We wish each of the great nations from this time foward to prohibit the use of Lorchas and other vessels transporting Cannons, Powder, Grain &c. to sell for the use of the traitorous officers, and not to allow Steamers to transport traitorous troops to Canton.

Wait 'till we have obtained the City, and afterwards it will be proper to carry on trade.

We now limit the time to the end of the year, when all the goods belonging to the three Countries, America, Great Britain, and France, at Canton, must be entirely removed. After the new Year no vessels can come and go conveying freight.

As requisite we give this notice. The newly established regulations are as above. The three Nations, America,

Great

Great Britain and France are limited to the end of the year to remove all their goods from Canton; the other different Stations are restricted to three days, within which they are required to make a clean sweep of their goods.

Kea Ging, year, 12th M, 24th day.
(10th February 1855)

(L. S.) viz; Chief of Ten Thousand men and Lord of Chin Hae Leang.

57 "C" Dispatch No 2 — 12th Febuary 1855

U. S. Ship "Vincennes."
Hong Kong, Febuary 1st 1855

Sir,

The American clipper ship "What Cheer" bound from this port to California with Chinese emigrants on bound put into the port of Napa-Kiang, Island of Loo Choo, in October last in want of provisions and water.

Captain Baker in command of the "What Cheer" sailed leaving part of his bill unpaid. The Loo Choo Government made this matter the subject of the inclosed Communication, which I beg you will translate, in order that I may have an official translation sent to the Navy Department with the original document.

At the request of the Government of Loo Choo Mr. Morton wrote the accompanying letter to Mr. McLane our Commissioner to China. This letter was handed to me upon my arrival at Napa for my action upon its contents. I therefore opened it and took the steps, which seemed to me proper. As this letter is of moment in the premises, I beg you to return it, that I may

forward

forward it to the Honble Secretary of the Navy.

I caused the money to be paid by the Purser of this vessel, and took vouchers for the amount in order to its recovery from the owners of the "What Cheer"

I have the honor to be
Your Obedient Servt
(Signed) John Rodgers.
Lieutenant Commdg U. S.
Expedition to the North Pacific
Ocean etc

Dr P. Parker
U. S. Commissioner to China
pro. tem

Loochoo
Nov 9th 1854

Sir,

It is the wish of the Regent of this island that I should communicate to you with regard to an American vessel the "That Chen," Captain Baker, which left Hong Kong July 6th for Honolulu via Sibetow, and put in here for supplies on the 18th of last Month.

Provisions &c were sent on board to the amount of One hundred & fifty two dollars; of which Eighty two are left unpaid.

When the vessel appeared in harbor, according to the Treaty made by Commodore Perry in July last, the American flag was hoisted on the staff place here by the Commodore, and a native pilot brought the vessel in.

On Sunday Oct 29. the day of departure, a Mr. Graves (?) in charge of the Chinese passengers, & two more gentlemen from the ship went to the Napa Government house concerning a pilot to take them out, but as they made no remarks as to payment, the Natives concluded the Eighty two dollars

in

in question would be sent by the pilot. But they were not. This truly unfortunate circumstance has I fear produced unfavorable impressions in the native mind, led them to tell me in terms too emphatic to be misunderstood that hitherto they regarded Foreigners as honest men, but this has certainly shaken their confidence in them. They have also remarked to me that they are not desirous to trade with other Nations, but if ships come here for supplies they ought to pay for them.

The gentlemen of the ship & myself exchanged visits with each other, and on one occasion when there had been some little delay in sending off supplies to the ship, by the Captain's request I accompanied him to the Court house to interpret for him; the three gentlemen also before mentioned called upon me on the morning of their departure before proceeding to the Government house. These things lead me to fear that the native Authorities may regard me to some extent as being Cognizant with what has transpired, though they have not insinuated thus much to me. I hope this will not affect

me

me in my official capacity, the only represen-
-tation of Christendom & foreign Nations in this
Kingdom.

Permit me to assure Your Excellency
that no subject of your honored nation is
more desirous than myself for the pros-
-perity and peace of the United States, and
that her Flag may ever appear untarnished
in the eyes of these Oriental Nations
before whom it has been recently unfurled.
I reflect with pleasure upon the achievements
of Commodore Perry, the honor he has brought
to his nation, the discretion with which
he has conducted his weighty negotiations
with Nations so shy as Japan & Loobhoo
and the favorable impression he must
have wrought upon minds hitherto
almost if not altogether barred against
Western intercourse; I therefore look with
grief upon any thing which is calculated
mar what he has so ably executed.

I must assure Your Excellency
that nothing short of an imperative
duty would have induced me to
lay before you the unpleasant
intelligence contained in this
letter.

I

I have the honor to subscribe myself
Your Excellency's
Obedient Servant
(Signed) G.H. Moreton
(Church of England Missionary)

To/
His Excellency
Robert M. McLane
United States Commissioner
&c &c &c

Translation.

I have now received Your Excellency's the Admiral's High Commands / stating /.

"I hear that on the 27th day of the 8th month "of the present year / 18th Oct 1824 / a vessel "belonging to my country arrived at your "Hon: Nation, named "What Cheer", Captain "Baker, and that he weighed anchor and "went away on the 8th day of the 9th month "/ 29th Oct 1824 / without having paid for the "articles bought, and it is proper you should "take the amount due and according to truth "report it / to me / clearly &c."

On the receipt of this, orders were given to my clerks & police to calculate the price of the articles, which amount altogether to $153, 6 Ks - 6 Le - 6 mow - 6 tre, & 6 mouh. of this sum, exclusive of $80, received on a former occasion, there remains $82. 6 Ks, 6 Le, 6 mow, 6 tre & 6 mouh, not yet received, and as is right, in conformity to your Commands, I make a clear report accordingly.

Again; The money due from said Captain is of small amount, and it is not necessary / for us / to receive it and I beg

beg Your Excellency, after your return, not to report this affair of not paying the money to your Government that the (Captain) may be punished for his offence, which is my sincere hope.

(signed) Maou Yih Lin
Local Officer of Itapa Kiang
Kingdom of Lew Chew

Heen Fung, 4th year, 10th month, 23rd day
(10th Dec. 1854)

(L.S.)

Translated by
Peter Parker

57

Legation of the United States
Canton, 8th February 1855

Sir,

I have the honor to acknowledge the receipt of your note of the 1st inst. and the accompanying Letter addressed by the Rev: G. H. Moreton, at the request of the Regent of Lew Chew, to His Excellency Robt. M. McLane, and a Chinese communication from the Local Authority of Napa Kiang to yourself, both relating to, what appears, from the evidence, very reprehensible Conduct on the part of Captain Baker of the American Ship "What Cheer".

It is a source of satisfaction that by paying the claims of the Lew Chewan Government, you have repaired, so far as in your power, the injury done to the American character at this early stage of our friendly intercourse with that Island.

As requested, I herewith return the Chinese Document with a translation, and also a copy of the letter to Mr. McLane, which I shall

answer

answer by the first opportunity that offers.

Very Respectfully
Your obedient Servant
/Signed/ Peter Parker
Acting Commissioner &c
United States of America
China

Captain
John Rodgers
Commanding U. S. Expedition
to the North Pacific Ocean &c
U.S. Ship Vincennes.
Hong Kong

V

Rec'd 14th July

Copy sent to Feby '56

Copy to Congress

Legation of the United States,
Canton, 17th March 1855.

To,
His Excellency,
Franklin Pierce,
President of the United States
of America.

Sir,

The enclosed Regulations adopted by His Excellency Robert M. McLane, 5th December 1854, having received the assent of the U. S. Consuls at Amoy, Foo Chow & Shanghai, the only full Consuls of the United States at present in China, in accordance with the 6th Section of the act of Congress approved 11th August 1848, I have now the honor of transmitting the same "to the President, to be laid before Congress for revision."

The Notification of the same date relating to the subject of the Regulations is also enclosed.

With sentiments of distinguished consideration, I have the

honor

honor to remain,

Sir,

Your Excellency's most Obt. Servt.

Peter Parker

Acting Commissioner &c.

United States of America

China.



Notification

ADDRESSED TO ALL CITIZENS OF THE UNITED STATES WITHIN THE DOMINIONS OF CHINA.

Since the capture of the cities of Shanghai and Amoy in the year 1853, and the seige of the city of Canton in the year 1854, by those engaged in insurrection and rebellion against the Imperial Government of China, citizens of the United States, residing and sojourning at the Ports open to commerce and trade, have been much embarrassed and constrained in all their social and commercial relations.

The United States' Naval Forces have been constantly engaged in affording them protection, when the local Authorities of China have been unequal to the task; and the civil Authorities of the United States appointed for the government and superintendence of their concerns, have had much difficulty to preserve for them their commercial privileges, and personal rights and security.

This has been accomplished by abstaining from all interference with the domestic war now existing in China, and with the rights of those engaged in it; but collisions have been had on more than one occasion with those engaged in arms to sustain the Imperial Government, and with those in insurrection against it.

This *non intervention* is but the practical application of well known principles of international law, which prescribe a policy of neutrality for all nations, in view of differences that may occur between one or more states, or in the case of domestic wars and revolutions.

This policy of neutrality may be more or less modified by Treaty, but unless so modified, it demands an absolute *non intervention* with the concerns of other nations; but more especially does it forbid foreign states, their citizens or subjects, from intervening, by affording military aid, assistance, or supplies to either contending party.

So far as the Treaty between China and the United States requires concert and coöperation between the Imperial Authorities and the Authorities of the United States, that concert and cooperation shall be faithfully and fearlessly rendered, and supported by the military power of the United States now in China, when such support is required to give it effect.

But in all matters, where such concert and coöperation is not required by Treaty, a strict and practical neutrality has been maintained by the Authorities of the United States in China, between those who defend the Imperial power and those who assail it.

It is the duty of citizens of the United States, residing and sojourning in China, to respect the Imperial Government, under which, in concert and coöperation with the Authorities of the United States, they are protected and defended, and permitted to resort to China for the purposes of commerce. But those who engage in military service on either side, are reminded that they are under the jurisdiction and control of the Authorities of the United States, who have made known to their countrymen and the world, their determination to protect the lives and property of American citizens in China, no matter where or by whom assailed; and they will not permit the weak or vicious of their own countrymen to imperil the safety of all.

More certainly to prevent the danger thereof, and for the better execution of the Treaty between China and the United States, the following DECREE has been issued by the Undersigned, Commissioner of the United States to the Empire of the China, in addition to the Statutes of the United States already extended over citizens of the United States in China, in virtue of the Act of Congress, approved 11th August, 1848.

ROBERT M. McLANE,

Commissioner of the United States of America to the Empire of China.

[L. S.]

Regulations

FOR THE CONSULAR COURTS

OF THE UNITED STATES OF AMERICA IN CHINA.

In pursuance of the Fourth Section of the Act of Congress, approved August 11th, 1848, "An Act to carry into effect certain provisions in the Treaties between the United States and China and the Ottoman Porte, giving certain judicial powers to Ministers and Consuls of the United States in those countries," I, ROBERT M. MCLANE, Commissioner of the United States of America to the Empire of China, do hereby DECREE the following Rules and Regulations, which shall have the force of Law, in the Consular Courts of the United States of America in China.

I. *That*, if any Citizen of the United States within the dominions of China, shall accept and exercise a commission to serve the Emperor of China, or any Province, State, Colony, District, or People, in war, by land or by sea, within said dominions, against any other Province, State, Colony, District, or People within said dominions, the person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than ten thousand dollars, and shall be imprisoned not exceeding three years in China or in the United States. at the discretion of the Court.

II. *That*, any Citizen of the United States who shall, within the dominions of China, enlist or enter himself, or hire or retain another person to enlist or enter himself, as a soldier or as a mariner or seaman, on board of any vessel of war in the service of the Emperor of China, or any Province, State, Colony, District or People within said dominions, against any other Province, State, Colony, District, or People within said dominions, any person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding ten thousand dollars, and be imprisoned not exceeding three years in China or in the United States, at the discretion of the Court.

III. *That*, if any Citizen of the United States shall, within the dominions of China, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly be concerned in the furnishing, fitting out or arming, of any ship or vessel with intent that such ship or vessel shall be employed in the service of the Emperor of China, or any State, Colony, District, or People within said dominions, to cruise or commit hostilities against the subjects, citizens or property of any Province, State, Colony, District, or People, within said dominions, or shall issue or deliver a commission within said dominions, or any such ship or vessel, to the intent that she may be employed as aforesaid: any citizen of the United States so offending, shall be deemed guilty of a high misdemeanor, and shall be fined not more than ten thousand dollars, and imprisoned not more than three years in China, or in the United States at the discretion of the Court: and every such ship or vessel, with her tackle, apparel, and furniture, together with all materials, arms, ammunition and stores, which may have been procured for the building and equipment thereof, shall be forfeited, one half to the use of the informer, and the other half to the use of the Government of the United States.

ROBERT M. McLANE,

Commissioner of the United States of America to the Empire of China.

Canton, 5th December, 1854.

Attested to (Signed) J. Hart Hyatt, U.S. Consul at Amoy.

Attested to (Signed) Caleb Jones U.S. Consul for Chinkiang for January 12th 1855

Attested to (Signed) Robert C Murphy, Consul U.S.A. Shanghai December 22nd 1854.

Rec'd 21. May. Mr Derrick

No. 3. Legation of the United States
Canton, 13th March 1855.

The Honorable
W. L. Marcy
Secretary of State of the United States.
Washington.

Sir,

In transmitting to the Department, the enclosed correspondence of this Legation, I beg in the first place, respectfully to invite your attention to the correspondence between R. C. Murphy Esq, U. S. Consul, Shanghai, and the U. S. Merchants at that port, and between Mr Murphy and those Merchants, and this Legation /Enclosures 1@13./. Not having received the original of your instructions of the 8th Nov. 1854, to cancel the obligations given by the Merchants as security for the unpaid duties at that port, the Consul declined to obey those instructions as conveyed through the Legation /vide Enclosure No 1./ which act has been strongly protested by the Merchants /Enclosures 2@9/. On learning that the original of Your Excellency's Dis-

patch

Dispatch to Mr. Murphy had not been received by him, on the 26th February I officialized to him, a copy of that Dispatch (Enclosure No 11.) and should the original still not have reached him, I trust that without further demurring he will conform to those plain directions. From the disposition manifested by the Consul to take exceptions to your instructions, anticipating the possibility of his rejecting the authority of the officialized copy, I addressed the Dispatch of the 5th of march (Enclosure No. 12.) & entrusted it to Robt. S. Sturgis Esq, who went to Shanghai in the Steamer of the 6th inst. requesting him to return it to me, in the event of his finding on his arrival that the instructions had been obeyed by the Consul, otherwise to deliver it, Enclosure No. 13.) I await with some solicitude the action of Mr. Murphy, lest from any motive, he may not only have disobeyed instructions, but have lost the advantageous position for the United States Government in the Duty Question, which it would

occupy

occupy if the Government of China decline to abide the Award of the Arbitration. A position that should have been secured at the earliest opportunity, and which, with the principles upon which your instructions are grounded, had been invincible.

The next subject to which I wish to solicit your attention is the illegal use of the United States flag, which has been brought to my notice by Commodore Joel Abbot, / vide Enclosures No 14 @ 20. /, and my decision of the questions submitted you will find in a dispatch to the Commodore under date of 6th inst / No. 19. / The granting of the English and United States flags with a passport to Chinese lighters, for a single trip to and from Canton & Whampoa, to be immediately returned & filed at the Consulates by which they were issued, was a matter of necessity, in order that the legitimate trade might not be absolutely cut off, and the responsibility was jointly assumed by the Civil & Naval authorities of the two foreign

Governments.

Governments. In the case of the Lorcha "Rapid", / and that of the Schooner "Exalsia" belonging to Thos. Hunt & Co, / admitting she had a right to the flag, she was resorting to places not allowed by Treaty.

The Notifications by the Rebel Chiefs of a quasi Blockade / Dispatch No 2, Exhibit D. / was followed by another on the 17th Feby, extending the notice to one month / Enclosure No. 22. / To prevent silence being construed as acquiescing in the Notification, the Communication of the 16th Feby / Enclosure No. 21. / was addressed to Chin Hen Seang, which with a brief note from the latter dated 7th March / Enclosure No. 23. / and of which no notice was taken, comprises all the correspondence with the Rebels.

Enclosures 24 to 31, require no comment. The past three months embrace a period of great anxiety and responsibility. Soon after the dispatch of the last Mail, a collision between foreigners & Chinese seemed quite possible, and but for the extreme prudence & forbearance on the part of the former, had probably occurred.

I.

I yielded to the repeated invitations of His Excellency Sir John Bowring to visit Hong Kong, that we might confer as to the course of action to be pursued, embracing the same opportunity to confer with Their Excellencies, the French Minister, the Governor of Macao and the British Admiral, Sir James Stirling. The result was the confirmation of the general policy we had adopted in December last. The simple Remedy for all the disorders existing at the Port of Canton, as proposed by the Diplomatic and Naval Authorities of Great Britain & the United States, and with which the Governor of Macao fully concurred, was that the Treaty rights should in no way be infringed upon by the Chinese movements. That the ordinary channel of Commerce should not be impeded; — that the question at issue between the Imperial Government and people must be settled out of the arena of foreign Commerce, and away from the foreign residences. That trade in grains and other provisions should continue as under the Treaty, though

under

under some circumstances they are considered contraband of war. The munitions of war to be sold to neither party.

His Excellency M. de Bourboulon defined the position of the French Government in China to be, that it acknowledges no Government but that of the Emperor, but does not forego the right to modify this decision, if occasion justify hereafter.

Sir John Bowring stated, the Government of England believe there is an <u>element</u> of <u>Revolution</u> in China, but as yet not well defined, and may or may not be developed hereafter. This, in my opinion, describes very correctly the true state of China at the present moment.

A semi-official correspondence with the Governor of Macao, soliciting my friendly offices in relation to several Portuguese vessels that had been molested by the Chinese, I will endeavor to forward in my next dispatch.

On the 7th inst. the Imperialists

quite

quite routed the Rebels from the neighborhood of Whampoa. It has been hinted, on what authority I know not, that their success is attributable to their bribery rather than their prowess. One thing is certain, very little resistance was made. A large number were taken prisoners and more than a thousand rebels have been decapitated, or quartered alive at the execution ground the past week, from 150 to 300 are said to have been thus executed in a day. Human blood has literally run down the street, and by foreigners who have witnessed it, is said to be ankle deep at the place of execution. The history of the human race scarcely furnishes a parallel to the present and recent state of China. A mixed state, made up of Tyranny & oppression, Anarchy & Mobocracy, robbery Piracy, and Revolution.

At Canton we have the prospect of more quiet, though the province still remains in a deplorable state.

With

With great respect,
I have the honor to remain,
Sir,
Your (Most Obedient Servant
Peter Parker.)

With Dr. Parker's No. 3 of 13th March, 1855.

No. 1.

United States Consulate
Shanghai, 15th February 1855

Sir,

I have the honor to acknowledge the receipt of your dispatch dated 31st of January, in which you are pleased to send instructions reversing a final Judgement on the Record of the U. S. Consular Court at Shanghae.

These instructions seem to be based on a dispatch from the Honorable Secretary of State to this office which you surmise would arrive by the same mail.

Up to this moment no such dispatch has arrived from Washington and while I have been pressed by the Merchants on the one hand for money which they had paid into the U. S. Consular Court in a "judgement by Award" in favor of the Chinese Impl. Collector of Customs, I am urged by the Chinese to hold the same till they can communicate with & receive instructions from their high Authorities.

The American Merchants, it appears,

appears, had prefixed copies of your dispatch to me, and also of your circular issued at Canton, which you did not deem the favor to transmit.

On their application for the money, I have replied that I am not in receipt of the dispatch from Washington on which your instructions are based and cannot take any steps thereon at present.

When that dispatch is received, I will then know what I am directed to do, and will be most happy to comply with its terms.

When the Department learn that the whole case has been settled at law by a final judgement, a new feature will be presented, & whatever questions may arise under it, will of necessity be referred from the State to its appropriate Department, the Honorable Attorney General.

By the next mail I hope to receive the said dispatch from the Honorable Sect of State, as I suppose it is in the Calcutta mail,

when

when I will be able to communicate
with you intelligably.

I have the honor to be
Very Respectfully
Your most obt. Servant
/Signed/ R. C. Murphy
Consul

Honorable
Peter Parker
Actg U. S. Commissioner
&c &c &c

No. 2.

Canton February 26th 1855

Sir.

On the 30th ult.o you advised us that you had received "full advices from the Department of State" "relative to the question of duties at Shanghai, and subsequently we noted by your circular addressed to the American merchants that you had fully instructed Mr Murphy, the Consul at that Port, for his guidance in the matter.

We forwarded copy of that circular to our house at Shanghai, but upon their application for return of money paid to him under Mr McLane's decree, in accordance with your circular, the Consul replied that he must await advices from Washington, notwithstanding your instructions communicated to us in the circular referred to.

Under the circumstances our house

To, Dr Peter Parker.
Acting Commissioner U. S. A.
Canton.

was obliged for our protection, to protest against him and his acts in the case, a copy of which protest we beg to hand you enclosed, dated Shanghai, February 13 1855, and we do hereby extend the same through you against the Government under which he holds his office, and request that our protest may be duly noted, for any and all losses that may accrue to us through the said Consul having refused to obey your instructions

We are
Your Obd Servts
Russell & Co

Copy.

No. 3

Shanghai 13th Feby 1855.

Sir,

We have the honor to acknowledge your communication of yesterday's date, answering our letter of the 10th inst, requesting you in the Authority of instructions from the Acting Commissioner of the United States at Canton, to return us the money & Duty Chops paid into the Consulate by us on the 30th Decr. last; & regret to see that you can take no action in the premises until you shall receive instructions from the Hon. Secretary of State on the Subject of "back duties" referred to by the Acting Commissioner in his despatches to yourself.

For your own sake we much regret that those instructions have not arrived; or that from any cause we should be placed in a position antagonistic to you.

The rights of the main question however, in view of it past & present Condition, are so fully discussed by the Acting Commissioner in his letter of 30th Jany 1855 to Messrs. Russell & Co Canton, & the duties of the Consul "Under existing Circumstances" are so clearly defined in his instructions to the Consul dated 31st Jany, an extract from which he hands to Messrs Russell & Co in a letter of 1st Feby that our duty to ourselves & our Constituents compels us to protest against you for detaining the funds before alluded to.

We therefore request you to note our protest, or by this letter we do protest, against the Act of Robert C. Mumford

Esq U.S. Consul at Shanghai for refusing to obey the instructions of the acting U.S. Commissioner at Canton, and we hold him the said Murphy Esq personally & officially responsible for all losses & damages which do now, or may hereafter accrue to ourselves or our Constituents by his said refusal, whether said losses & damages occur by way of costs, expences loss of interest or otherwise

We are Sir
&c. &c. &c
(Sd) Russell & Co.

To R. C. Murphy Esq
U.S. Consul
Shanghai

Commodore No. 4

Shanghae, 11th February, 1855.

Revd Peter Parker M.D.

Acting Commissioner of the United States recvd.

Canton.

Sir.

Having seen a copy of Your Excellency's Instructions, bearing date the 1st inst, to R. C. Murphey Esq. U.S. Consul at this Port, ordering an immediate return to the American Merchants interested, of all sums paid by them into his hands under the award of R. M. McLane Esq. U.S. Commissr in the matter of duties which accrued on American trade at this Port, from the 7th September 1853, to the 12th July 1854; we addressed Mr. Murphey under date of the 9th inst, & now enclose copy of our letter, requesting the return of the amount paid by ourselves into his hands on the 5th day of January.

last, on account of our proportion of the aforesaid award, and under the same date received a reply from him, a copy of which we also enclose, stating his inability to comply with Your Excellency's Instructions. We, therefore, have deemed it necessary to record our solemn protest against the course adopted by the U. S. Consul, and take the liberty of enclosing you copy of the document, and have at the same time most respectfully to request that Your Excellency will take such steps to protect our interests, and those of Constituents entrusted to our charge, as in Your Excellency's opinion the circumstances of the case may render necessary & expedient.

We remain, with great respect,

Your Excellency's

Most obedient humble Servts.

Ottmore & Co

Formosa.

Revd Peter Parker M.D.

Acting Commissioner U.S.A.

&c &c &c.

Canton.

Copy. No. 5.

Shanghai, 9 February 1855.

R. B. Murphy Esq.

U. S. Consul.

Sir,

We have received copy of the Letter of instructions to your address from the U. S. Chargé d'Affaires at Canton dated 1st inst. from which we perceive all sums handed you on account of the award of the U. S. Commissioners to the Chinese Government, are to be refunded, & will feel obliged if you will hand us order for $5410.478 paid you on the 5th ultimo on account of our proportion of said award, remaining

Your obdt. Servts.

Siguid Wetmore & Co.

Copy. 6

No. 6.

U. S. Consulate
Shanghai, 9th July 1856.

Gentlemen,

I have the honor to acknowledge the receipt of your letter dated this day, informing me that you have received a copy of instructions issued to this Office from the Act. Charge d'affaires at Canton to return all sums to the Merchants which may have been collected under the award of W. McLane.

Those instructions are founded on a despatch from the Honorable Secretary of State addressed to me, a copy of which was sent to the Legations.

That despatch has not reached me yet although I have instituted a diligent search at the P. Office, and until it does I can take no action.

Very respectfully,
Your Most Obed't Serv't
Signed R. B. Murphy.
Consul.

J.
Messrs Fetmore & Co.
Shanghai.

Copy

No. 7.

Shanghae, 12 February 1855.

R. C. Murphy Esq.
U. S. Consul.

Sir,

Referring to your communication of the 9th inst. in reply to our letter of the same date, informing us that you are not prepared to comply with the instructions of the Acting Commissioner & Chargé d'Affaires of the United States in China, bearing date the 1st inst. with reference to the immediate return to American Merchants at this Port of all sums paid into your hands under the award of the U. S. Commissioner, We do hereby most solemnly protest for ourselves, & in behalf of all persons interested through us against the course you have adopted as arbitrary, illegal & detrimental to those interests which it is your peculiar duty to protect, and we shall hold you personally responsible for the sum of $5410.478 (five thousand four hundred and ten taels & 478/1000) paid into your hands on the 5th ult. on account of our proportion of the aforesaid award, together with interest on the same from this date, and for all loss & damage which may arise directly or indirectly from your non compliance with the instructions above referred to.

We remain Sir, Your most obed't Serv.ts
Signed Wetmore & Co.

No. 8

U. S. Legation, U. S. Chartered Steamer
"Queen," Hong Kong, 26th Feby 1855

Messrs Wetmore & Co
Shanghae,
Gentlemen,

I have the honor to acknowledge the receipt of your note of the 14th of February, and to state that by this opportunity I officialize to R. C. Murphy Esq, U. S. Consul, Shanghae, a copy of a Dispatch to him from the Department of State under date of 8th Novr 1854, instructing him to cancel certain obligations for unpaid duties at Shanghae, and have the assurance of Mr Murphy that on his receipt of that Dispatch, "he will "know what he is directed to do, and "will be most happy to comply with "its terms."

By an early opportunity, it will be my endeavor to address you more fully than is possible at this time.

I remain, Sirs,

Very Respectfully &c
(Signed) Peter Parker
Actg Comr of the U. S. A. China

No. 9.

Shanghai, 16th February 1855.

To the
Honorable Peter Parker
Acting Commissioner to China
&c &c &c

Sir,

On or about the 30th December last my friends Messrs King & Co paid into the hands of Robt C. Murphy Esq. the U. S. Consul at Shanghai, the sum of 5794.5.1 taels of Sycee Silver, being one third of the amount of bonds & obligations which had been exacted from them for my account, for Customs Duties by the then Acting Consul Edwd Cunningham Esq. under his own provisional rules & regulations which were opened on the 9th September 1853, and which sum aforesaid was paid under the award of the Honble Robt McLane, dated 23d November 1854.

This money is on account of Customs Duties on goods by the Ships Genoa, Bay State & Channing, all which sailed from this port between the 16th October & the 25th December 1853, and is for account of my friends Messrs William Appleton & Co, John E. Lodge Esq & Messrs

Messrs Dana Dana & Co of Boston. I have been advised by them that the Hon: Secretary of State at Washington, had announced that instructions had been sent to the Consul at Shanghai to Cancel all the bonds and obligations which had been received at the Consulate under the protestations aforesaid, & to return them to the parties to whom they respectively belong.

I have also had the pleasure to perused a copy of your own letter to the Consul at Shanghai upon this subject, in which you have instructed him to pay back to the Merchants, the money which he had received on account of these said duties.

In accordance with this information, a demand was made upon Mr. Murphy for the money, which he refused to comply with, saying that as he had not received any instructions from Washington, he could take no action, or give any opinion upon the matter.

I therefore deem it my duty to my constituents & friends, to make an earnest appeal to you the Honble Acting Commissioner, & beg that you will please adopt such measures as may be necessary to compel Mr. Murphy to comply with the well known intentions and instructions of our Government at Washington, and with those which you have sent to him upon the matter, that he may pay back the money at once.

In connection with the foregoing I beg to ask, if the action & instructions of the Government at Washington, do not, in fact, set aside the Award of Mr. McLane, as having been based chiefly upon points which are not recognised by that Government? and whether "a judgement or Award" or any other judgement of the U.S. Consular Court, may not be overrated (overruled?) by the Commissioner? & even in Cases where the Commissioner himself has decided, may not his decision be overrated (ruled) by the Home Government when an order to that effect arrives before the matter is finally disposed of & the money paid away?

Also I beg to ask of the Honble Acting Commissioner, if American Citizens in China shall be prevented from enjoying the immunities which their Home Government

Government has extended to them, & to which they are also entitled by Treaty because the Consul opposes them on the ground of mere legal technicalities which have been raised by himself.

The foregoing is all respectfully submitted.

I have the honor to be

Sir,

Your most Obedient Servant

/Signed/ Richd P. Dana

No. 10.

United States Legation
Chartered Steamer "Queen"
Hongkong, 26th Feby 1855

R. P. Dana Esq
Shanghai.

Sir,

I have the honor to be in receipt of your communication of the 16th inst. and by this opportunity am able simply to state, that I now officialize to R. C. Murphy Esq, U. S. Consul, Shanghai a copy received by this Legation of a dispatch to said Consul from the Hon: Secretary of State under date of the 8th Novr last, relative to the unpaid duties at Shanghai, and I have the assurance of Mr Murphy "when that "Dispatch is received, he will then know "what he is directed to do and will be "most happy to comply with its terms".

By the "Barracouta" which is expected to proceed to Shanghai immediately on the arrival of the Mail, it will be my endeavor to reply to your note fully, in the meantime I remain,

Very Respectfully &c

Peter Parker

Your Obedient Servt
/Signed/ Peter Parker
Acting Commr of the U.S.A.
China

No. 11.

United States Legation
U.S. Chartered Steamer "Queen".
Hong Kong, 26th Feby 1855

Sir,

Your Dispatch of the 15th inst. I received on the 23rd, from which I learn with regret that the Dispatch of the Hon: Secretary of State of the 8th Novr 1854 relative to the subject of unpaid duties at Shanghai had not been received by you - but "when that "Dispatch is received you will then "know what you are directed to do, "and will be most happy to comply "with its terms."

I hereby officialize to you a certified copy of those instructions, herewith enclosed, lest by any chance the original may still not have reached your Consulate.

In my Dispatch of the 31st ult. you have the expression of my views of the course I deem most judicious under the existing circumstances.

By the "Barracouta" which is expected to proceed to Shanghai two days after the arrival of the mail now

now daily expected, I will endeavor to write you more fully upon this and other subjects of public interest.

I have the honor to be
Very Respectfully
Your Obedient Servt
/Signed/ Peter Parker

R. C. Murphy Esq
United States Consul
Shanghai

No. 12.

Legation of the United States
Canton, 5th March 1855

Sir,

On the 26th Ultimo, I addressed you a brief note accompanied by an officially sized copy of the Dispatch of the Hon: Secretary of State of the 8th Novr 1854 and now transmit Duplicates of the same, and trust that you will not fail to carry out those unconditional Instructions & to return without delay the money received under the Award of Mr. McLane, to the parties from whom you received it.

The motives which induced you to set at defiance the instructions conveyed to you through this Legation from the Hon: Secretary of State, under date of the 31st of January, are beyond comprehension.

In your dispatch of the 15th Jany you represent "my being pleased to issue instructions directing a final Judgement on the Record of the U. S. Consular Court at Shanghai."
A moments reflection will show you two errors of fact in that assertion.

They

They were not my instructions but the instructions of the Secretary of State. The case in question has never been brought before the "U.S. Consular Court at Shanghai," nor the decision of the Commissioner been entered upon the Record of that Court, but as stated on the face of the Award, simply "filed at the United States Consulate at Shanghai."

An extract of my dispatch to you of the 31st Jany was furnished the American Merchants interested in the subject thereof, as containing in the most succinct form the information they required & to which they were entitled.

Implicit obedience to plain Instructions from Superiors is always safe. If the instructions are erroneous the responsibility rests on their Authors, I trust your own judgement will lead you to the same conclusion, but should you persevere in your disobedience to the Instructions of the Superior Authorities of your Government both in China and at Washington, it will only remain to suspend you from your office, and in the interim to supply the Consulate with one competent to its duties, & who will conform to the directions of the Home Government and its Representative in China.

I have the honor to be
Very Respectfully
Your Obedient Servant
/Signed/ Peter Parker
Acting Commissioner of the
U.S.A. China.

R. C. Murphy Esq
U.S. Consul
Shanghai.

No. 13.

U. S. Legation
Canton 5th March 1855

My Dear Sir,

I beg to confide to your special care the accompanying Dispatch to R. C. Murphy Esq, U. S. Consul, Shanghai, and to request that if on your arrival at Shanghai Mr. Murphy shall have carried out the instructions of the Hon: Secretary of State of 8th Nov. 1854, that you will return the said Dispatch to me unopened and under seal. If he has not complied with those instructions please deliver the Dispatch to Mr. Murphy & oblige

Yours truly
(Signed) Peter Parker

R. S. Sturgis Esq
&c &c &c

No. 14.

U. S. Ship Macedonian
Whampoa March 5th 1853

Sir,

I herewith transmit to you a copy of a permit purporting to be granted by A. S. Sturgis Esq. American Vice Consul at Canton, to fly the American flag on board a lorcha called the "Rapid". This lorcha it is presumed is foreign-built and said to be purchased and owned by John Pascal Geoffroy.

Lorcha

This vessel it is reported to me has been trading up the Bocca some way into the Country, and has on board Chinese passengers and provisions bound to Canton. She has this day been seized by the Rebels near Whampoa. The Commander of the lorcha came on board with his permit and reported to me the seizure. He informed me on my enquiring that he did not show the permit to the assailants. I however sent and rescued the lorcha. But as I have my doubts whether she is entitled to the American flag, I have detained her and shall keep her under charge and protection of Lt. Comdt. Preble until you can decide whether this craft is entitled to fly the American flag, and whether the American Vice Consul at Canton has the authority I might to give such a permit. It is very important that this point should be settled, and I can now apply to no other authority than that with which you are invested to decide this matter - and I shall direct Lt. Comdt. Preble to detain this Lorcha until the receipt of your decision

When Com. Perry was at Cumsingmoon, I am told he would not allow Capt. Endicott

to fly the American flag on board his ship there.
and I am told that Capt. E. does not presume to fly
the American flag on board his Steamer the Canton.

If this permit of the Vice Consul Mr. Sturgis,
to fly the American flag on board this craft called
the "Rapid", is legal, I will protect it's flag, if other-
wise, not. Please make known to Lt. Comdt. George
H. Preble at Whampoa, your decision as early as
practicable; and a copy of the same addressed to me at
Hong Kong, as I am now about moving in the "Ma-
cedonian" for that place.

I regret to give you this trouble, and also
to be so troubled myself.

I am Sir
I have the honor to be
Very Respectfully
Your Obt. Servant
Saml Abbot
Comm'd'g U. S. E. India Squadron

To the Hon.
Dr. P. Parker
Act'g U. S. Commissr. to China
Canton
China

(Copy) No. 15.

Consulate U. S. America
Canton, China. Feby 24th 1855

John Pascal Geoffrey.

Having proved to me that he is an American Citizen as appears by his protection No. 233 issued by Conway Whittle, Collector of the Port of Norfolk, Virginia, on the 2nd day of February 1854, and having further proved to me that he is owner of the Lorcha called the "Rapid," purchased by him of Cheong Moi of Hong Kong, as appears by Bill of Sale deposited in this Consulate, the same having been duly made over to the said John P. Geoffrey by the said Cheong Moi, before William Gaskill, Notary Public for Hong Kong.

I hereby permit the said John Pascal Geoffrey to fly the American flag on the Lorcha "Rapid"

In witness whereof, I have hereunto set my hand and Seal of office.

(Signed) Robt. S. Sturgis
Vice Consul.

Consular Seal.

This Certificate is good for Service in the Canton River only, including Hong Kong & Macao.

(Sd.) R. S. S.

Copy No. 10.

U. S. Steamer "St. Louis"
Whampoa, Mar: 5th 1855.

Sir,

Agreeably to your order, I have boarded the Lorcha "Lapis" flying the American Ensign & forbidden her to move without permission from me until further orders.

In answer to my enquiries the Mate informs me, (the Captain being absent) that she is of fifty four tons burthen, last from Shin-Shing & bound for Canton. Her complement consists of 16 persons. Viz the Captain & Owner J. P. Geoffroy, an American - Mate a Scotchman & a Crew of 16 Chinese -

Her cargo is a general one, and consists of Pigs, Flour, Oil, Rice &c and is all on freight and chiefly owned by a Chinese living at Canton named Shing-Tick-

The Lorcha is armed with 6 guns - viz 2 - 12 Pdrs, 3 - 4 Pdrs, & 1 - 6 Pdr. She has also two Swivel pieces on board. The Mate assures me she has no guns or Munitions of war on board for Sale, and only what is requisite for her defence.

He could not inform me where the Lorcha was built -

I have the Honor to be
Sir Respectfully
Your Obt Servt
(Signed) Geo. Henry Preble
1st Comdr U. S. S. "Louis"

Comr Josl Abbot.
Comdr in Chief U.S. Naval Forces
E. Indies & China Seas &c.

4

No. 17.

(Copy)

U. S. Ship Macedonian
Whampoa March 5th 1855

Sir

Being about to leave with the "Macedonian" for Hong Kong, You are hereby directed to remain at Whampoa until further orders, for the protection of American interests, unless there should be an attack on Canton, or your services should be particularly required there or elsewhere, in which case You will use your judgment in regard to absence from Whampoa, and make report to me of your doings.

You will continue to detain and protect the Lorcha Rapid (now under your charge and protection by verbal order), until further orders from me, or until you shall receive a written decision from Hon D.C. Parker. Acting U. S. Commissioner to China, as to whether this vessel is legally entitled to fly the American flag. If he decides that she is properly and legally entitled to it, You will give to her protection on her way to Canton until beyond the reach of the Rebels. If it is decided that she has no legal and proper right to the American flag; You will release her, but forbid its being used on board of her

As the Masters of the Lorcha is [illegible] me

me himself that he did not show his permit to the assailants, I have no instructions to give you in regard to an attempt to recover the property said to have been taken from her - a copy of which is enclosed.

In haste

I am Respectfully
Your Obt Servt
(Signed) Josh Abbot
Comdg U.S.S. India Squadron

To
Lieut Comdr
Geo H. Preble
Comdg U.S.S. Char. "Sts Queen"
Whampoa

(Copy) No. 18.

Whampoa February 5th 1855

This is to certify that I was robbed by the Rebels of one Silver Watch worth twenty five dollars, and fifty dollars in money two double barrel guns one Cutlass twenty five dollars one sleeping case destroyed two dollars this is my own personal effects $102. the property destroyed is estimated at forty dollars taken by them two bags Rice five dollars twelve bags meal thirty dollars thirty passengers robbed to the amount of each man Whofung $100 Lung Fuck 32 Achin $52. Cumlic $40 Sinlom $5 Chonsune 1 gold Ring $11. Tinkey $55 1 Coat $6. 1 do $4 1 long Silk $2 Chunchung $3 1 Shirt $0.75 Tikey 1 Blanket $2. 1 bag clothes 4 pieces $4 Longtin 1 Bag Clothes $3. Tikey 1 Stone Ring $20. money $5 Ockat 1 Bag containing a deaft the amount not known the whole amount $240 18 $418.)

(Signed) John Pascal Gochiroz

Master and owner of the

Lorcha Rapid

No. 19.

Legation of the United States
Canton, 6th March 1855

Sir,

I am in receipt of your Dispatch of yesterday's date transmitting a copy of a permit granted by Robert S. Sturgis Esq United States Vice Consul at Canton, to fly the American flag on board a Lorcha called the "Rapid," presumed to be foreign-built, & said to be purchased & owned by John Pascal Geoffrey. You also inform me that said Lorcha having been seized by the Rebels, was subsequently rescued by your order - but entertaining doubts, of her right to the U.S. flag, and of the Consul's authority to grant such permit, you refer the subject to the decision of this Legation.

By the Statute Laws of the United States, the general rule is that a vessel must have been built within the United States in order to possess the privileges & rights of a vessel of the United States - The principal exceptions to this rule are /1/ foreign vessels captured in war by Americans; /2/ foreign vessels adjudged forfeited for breach of the laws of the

United

United States; /3/ foreign vessels wrecked in the United States + purchased and repaired by Citizens of the United States, if the repairs amount to three-fourths of the value of the vessel when repaired.

It is therefore manifest that the Lorcha "Rapid," whose foreign extraction is presumed, and of which there is no doubt, is not entitled to the American flag, either by the general rule or its exceptions; neither have I knowledge of any "Authority or right" by which the American Vice Consul at Canton, can give such a permit.

I have the honor to remain
Sir,
Very Respectfully
Your obedient Servt
/Signed/ Peter Parker
Acting Commissioner &c.
United States of America
China

Commodore
Joel Abbot
Comndg U. S. E. India Squadron
U. S. S. Macedonian
Hong Kong

No. 20.

United States Legation
Canton, 6th March 1865

Sir,

Conformably to the request of Commodore Abbot to make known to you my decision of questions referred to this Legation, relative to the Lorcha "Rapid," I herewith enclose a copy of my dispatch of this date addressed to Com: Abbot containing that decision, and have the honor to remain,

Sir,

Very Respectfully
Your Obedient Servt
/Signed/ Peter Parker.
Acting Commissioner &c
United States America
China

Lieut. Commanding
Geo: Henry Preble
U. S. Chartered Steamer "Queen"
Whampoa

No. 21.

Legation of the United States.
Canton, 16th February 1855

To
Chin Hein Leang
&c &c. &c.

On the 2nd January the Naval Authorities of Great Britain & the United States called your attention to the fact that "their subjects & citizens in China have an absolute right to security of person and property, and to an entire exemption from all the hazards of war, & called upon you to instruct your subordinates that any violation of these rights, on any pretext whatsoever, would be deemed an act of war and lead to immediate reprisals." The following day you replied "the Chief has issued notice to all his forces to comply with those demands."

On the 4th January you were furnished by the Civil Authorities of England & the United States with a translation of Regulations for the protection of foreign interests at this port, and on the 11th Jany wrote that "you would conform to each of them," and Jany 20th you were

notified

notified by me that the legitimate trade between the United States & China must not be interfered with by any subject or number of subjects of the Empire of China x x x. that the Government of the United States will be neutral but the treaty must be respected by all &c. This is on record.

Now in opposition to all these warnings on the part of foreign Governments, and declarations on your part, your notice of the 10th inst. appears calling upon England, the United States and France, to remove all their Merchandize from the Provincial City by the 17th inst. & that after that vessels will not be allowed to go & come conveying freight &c.

You are hereby called upon once more to conform to the just demands that have been made, & in no way to molest or interfere with the Lawful trade under the Treaty of Wang Hyea.

/Signed/ Peter Parker
Acting Commissioner &c
United States of America
China

No. 22.

Chin and Ho Lih, Commanders of ten thousand men, Commanders-in-Chief of the land and naval forces, troops & Cavalry, joint Generallissimos, send this communication to Their Excellencies the Commissioners of each nation, that they may understand accordingly.

On a former occasion we sent a letter in which it was stated that all merchandize at the Provincial City, by the end of the year (10th Febry) ought to be removed, but on account of the haste in which it was given the notice could not be universally known; one month is now allowed, within which all goods are to be entirely removed and at the expiration of that period it will not be proper for Steamers & Lorchas again to go out & in (to port,) in order to avoid mutual opposition, and to strengthen amicable & friendly relations.

As requisite we send this notice, and avail ourselves of the occasion to present the compliments of the

the season.

Tai Ping Yih, mien, year, 1st m. 1st day.
/14th February 1855/

N. B.

Accompanied with the card & seal of Ho Lüh.

Translated by
S. Parker

No. 23.

Translation.

I have several times received the amicable & friendly assurance of Neutrality in the existing Civil War, which is truly a beautiful idea, but to day my Camp is commencing hostile operations and a vessel of Great Britain is anchored before the Forts of the Ta Shih Fort, which seems like assisting the Manchow Officers. Hereafter, while my Camp for several days are going forth to battle, and the river in the neighborhood of the fort of Ta Shih, should be kept free, & I earnestly pray that temporarily passing to and fro may be put a stop to, in order to avoid mutual misunderstanding.

With Compliments &c

Camp of Sin Seara
19th day
17th March 1855

/Card of/
Chin Heen Leang
/L. S./

To/

H. E. The Commissioner of the United States

Translated by
Peter Parker.

No. 25. 24

Canton, China.
February 19th 1855

Sir,

I respectfully state in reply to your application for the use of the U. S. Chartered Steamer "Queen" to convey you to Macao & Hong Kong upon business of public concern, that it will give me pleasure to comply with your request immediately on her return from a trip to Hong Kong for provisions, coal &c. and which will be at or very near the time named in your application. This arrangement I suppose to be, from our conversation this morning, satisfactory to yourself.

I have the honor to be
Very Respectfully
Your Obt. Servt
/Signed/ Josl Abbot
Commanding U. S. East India
Squadron

To Hon:
P. Parker
Acting U. S. Commissioner to China
Canton

No. 24.

U. S. Legation.
Canton, 14th February 1855.

Sir,

Under date of the 13th December 1854, His Excellency R. M. McLane wrote me "at any time when the exigencies of the Service require, you will find Captain Abbot and Captain McCluney ready to give you every facility of locomotion &c".

Such exigencies now existing I have respectfully to request of you, that on the morning of the 22nd inst. the U. S. Chartered Steamer "Queen" may be placed at my service to convey me to Macao, and thence on the 23d to Hong Kong, to confer with their Excellencies the French and British Ministers upon subjects of mutual and public concern.

I have the honor to remain
Sir,
Very Respectfully
Your obedient Servt
/Signed/ P. Parker
Commodore

Joel Abbot
&c. &c. &c.
Canton

No. 26.

United States Legation
Canton, 16th January 1855.

Hon: W. L. Marcy
Secretary of State.

Sir,

I have referred to the United States Consulate, Canton, and hereby certify that Thomas Hunt Esq, though informally appointed & qualified as United States Marshal for this Consular jurisdiction, said office he has held, and the duties thereof discharged from the 1st January 1849, to 31st Dec. 1852, a period of three years. It affords me pleasure to bear testimony to the judgement, tact and fidelity, with which Mr. Hunt discharged his arduous and often difficult and embarrasing duties.

James P. Cook Esq, I am informed succeeded to the office of U. S. Marshal, on the 1st January 1853, and by his activity, prudence & fidelity, has given satisfactory proof of his qualifications for said office.

I remain Sir, with great respect
Your most obedient Servant
Peter Parker

No. 27.

Legation of the United States
Canton, 15th February 1856

Sir,

In consideration that Charles Thompson, arrested by you on the 31st Dec., under instructions of R. S. Stuyvis Esq, U. S. Vice Consul, of the 1st Jany 1855, pleads ignorance of the law he was suspected to have violated, that he was betrayed by others to commit the error, and in view of his correct deportment since his imprisonment, you will admonish him, reminding him that he has been in danger of becoming liable to a law whose penalty is death, and then discharge him from your custody, on condition of his satisfying you for the expense of his board & medical attendance while under arrest & that he leave China by the first opportunity. Should he transgress hereafter he may expect the rigor of the law, rather than the clemency of the judge.

Very Respectfully
Your obt Servt
(Signed) Peter Parker

J. Cook Esq
United State Marshal
Whampoa

No. 28.

U. S. Legation
Canton, 22d Feby 1855

Sir,

Your notes of the 11th inst. with enclosures have been received. In reference to the Chinese document, I have compared the translation with the original & now assure you of its accuracy.

I have also the pleasure of enclosing a translation into Dutch, by an accomplished Dutch Scholar, of your Communication to the Japanese Authorities - which I am confident will answer every purpose, the Dutch language being the principal medium of communication between the Japanese and Western Governments. My Chinese writer is absent or I would endeavor to furnish you a Chinese translation also, though it would be superfluous. Anticipating the pleasure of seeing you at Hong Kong at an early day,

I have the honor to remain
Sir,
Very Respectfully &c
(Signed) Peter Parker

Captain
John Rodgers
Comg U.S. Expeditionary Expedition
U. S. S. "Vincennes" - Hong Kong

No. 29.

Record of Cases decided in the U.S. Consulate

Date	against	Charge
June 24	Fred. Pierson & W. Ferris & W. Cooney	attack upon & attempt to rob from the house of said Pierson
" 26	" " & Wm Casey	" " "
Aug. 6	U. States & Matt. Mitchel	stealing clothes from a mess-mate
" 15	U States & J. Bartlett	Inducing seamen to desert from ships at Shanghai & Woosung
Sept 1	M. Gabriel & W. Fogg	loss of sundry articles in 2 bales rec'd into the boat of said Fogg
" 1	Monorieff & Co & H. Fogg	loss of 2 bales received into the boat of said Fogg
" 5th	U.S. & James D. Knowles	For striking a seaman on board ship "Surprise"
" 15	U.S. & John Gillis	For striking a seaman on board ship "Surprise"
Oct. 21	U.S. & Jno. Jackson	mutiny & larceny on board ship "Typhoon"

United States Consulate

Shanghai, Dec

Court at Shanghai during the year 1853—

Verdict	Punishment &c.
W. Ferris discharged	
Wm Conroy guilty of participation, 1 week imprisonment, a fine of $5 & to pay his share of the damages—	Imprisoned for 1 week, fine not collected—
guilty of participation, 2 weeks imprisonment— to pay his share of damages—	Imprisoned for 2 weeks—
Guilty, 2 weeks imprisonment—	Imprisonment for 2 weeks
Guilty, to pay fine of $200 or imprisonment for 1 month & deportation in either case.	Imprisoned, but escaped from the jail
Favor of defendant—	
Favor of plaintiff, defendant to pay the value of the 2 bales—	
Guilty, a fine of $5	Paid fine $5—
Guilty, a fine of $10	Paid fine $10
Guilty, 1 year's imprisonment, & there being no jail, to be sent home & complete the term.	Imprisoned on board ship Saratoga & sent home by the Susan Sprague

December 31st 1853

Edw Cunningham
Vice Consul U.S.A.

No. 30.

Returns of Fees received at the U.S. Consulate during the six months ending December 31st 1853

Deposit & delivery of papers	128	00
Linguists fees for entering ships	64	00
Shipping 217 men	108	50
Discharging 112 men	56	00
Note & entry of Protests	20	00
Extending Protests	160	00
Copies of Protests	55	00
Certificates of desertion	32	00
Certificates of inability to procure American Seamen	12	00
Debenture certificates	10	00
Invoice certificates	44	00
Seals	10	00
	$ 699	50

Shanghai December 31st 1853

Edw Cunningham
Vice Consul U.S.A.

Judicial Cases
U.S.A. Court. Shanghai.
1854.

No. 31.

Return of Suits. Continued

No.	Date of first Proceedings	Name & Nationality of Plaintiffs	Name & Nationality of Defendants	Nature of Suits	Judgment	Appeal -
6	August 15 -	C. M. Wolcott & F. H. Wolcott U.S.A. Executors under the Will of H. G. Wolcott. Dec[d]	Creditors & Legatees of said Estate. U. S. A & England	Debt	Agents transmitted to C. M. Wolcott and F. H. Wolcott, Executors of H. G. Wolcott Dec[d]. and all claimants against said estate. to prosecute them against said Executors -	
7 -	August 23[d] "	Consul of France for officers of French Frigate "Jeanne d'arc"	Deconli. U. S. A	action on the Case for running frigate ashore	Postponed for additional evidence -	
"	October 15	Do	Do	Do	Case dismissed by a Nolle prosequi with costs to defendant -	
8	Sept. 25[th] "	A. Robertson. English	Lewis Carr as Supvr of Customs for Dist of C. Henry U. S. A.	Breach of Contract	Plaintiff	None -
9 -	October 19	Wm A. Cayes Capt. of Am. Ship	Geo. Anderson 1st Mate of am. Ship	Mutiny	For Plaintiff.	Appealed to U. S. Ct.

United States Consular Court Shanghai China

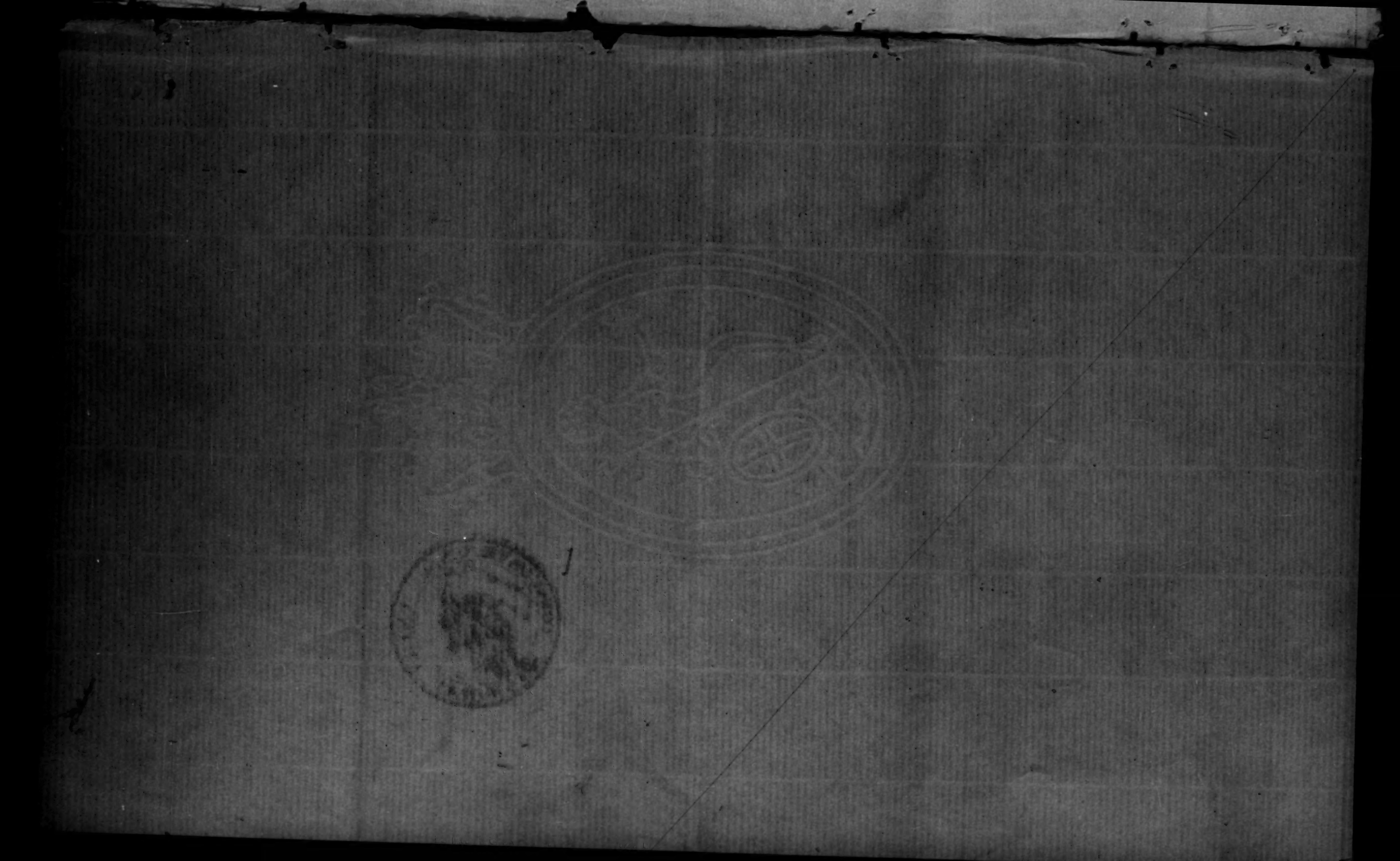
Return of Suits from 1st March to 31st December 1854

No.	Date of first Proceedings	Name & Nationality of Plaintiff	Name & Nationality of Defendant	Nature of Suit	Judgment	Appeal
1.	April 13th	A. Pearson U.S.A.	John Wilson & Thomas Smith U.S.A.	Debt	For the Defendant	None
2.	June 15th	Chinese Officer	Thos Eaton & Robt. Gilfillin U.S.A.	Breach of Regulations	For the Plaintiff	None
3.	July 11th	Afung. China	Thos. Ewing U.S.A.	Assault & breach of Regulations	For the Plaintiff	None
4.	July 11th	Consignees of Ship "Geelong" British.	Capt. Buchanan U.S. Store "Susquehanna	Damage by Collision	For the Defendant	None
5.	July 14th	Chinese Impl. Collector of Customs	Russell & Co U.S.A.	Debt		
"	"	Chinese Impl. Collector of Customs	Smith King & Co U.S.A.	Debt.		
"	"	Chinese Impl. Collector of Customs	Bull, Bye & Co U.S.A.	Debt.		
"	"	Chinese Impl. Collector of Customs	Augustine Heard & Co U.S.A.	Debt.	Referred to H.B. Robt. N. McLane by Mutual Agreement, under 20th section of the act of Congress 11th august 1848. and decided by him in award dated 23 d Nov 1854	
"	"	Chinese Impl. Collector of Customs	Wetmore & Co. USA	Debt.		
"	"	Chinese Impl. Collector of Customs	Hiram Fogg & Co U.S.A.	Debt.		
"	"	Chinese Impl. Collector of Customs	Wm G Pierce U.S.A.	Debt		
"	"	Chinese Impl. Collector of Customs	Frank Foster U.S.A.	Debt.		
"	"	Chinese Impl. Collector of Customs	F. Williams U.S.A.	Debt.		

10-	November 1st "	Brock Boorning China -	John Abel U. S. A.	Affault	For Plaintiff	None -
11 -	November 11 -	Hammond U.S.A.	James O'Brien U. S. A.	Larceny	For Plaintiff	None
12 -	November 13 -	Leuh Leun & Chick Lun Chick. China	Bustrum. Allen & Johnson U. S. A.	Rioting & Larceny	For Plaintiff	None
13 -	November 21 -	Municipal Police Shanghai Eng. & U.S.A	Wilson, Patterson & Douglas. U. S. A	Riot -	For Plaintiff	None -
14 -	Nov. 24th "	Consignees of Brig Frederick VII. Eng -	Capt. McCleary U. S. Stmr. Powhatan	Damage by Collision	For Plaintiff	None
15 -	Dec. 4th "	Richard Lewis English -	Chas. Baker U. S. A.	Larceny	For Plaintiff	None

United States Consulate
Shanghai Dec. 31st 1854.

R. D. Murphy.
Consul U.S.A
Act Judicially



V Recd 23d June Gov Dorrance

No 4 Legation of the United States
Macao, China, 9th April 1855

To the,
Hon: W. L. Marcy
Secretary of State.

Sir,

I have the honor to transmit herewith, the correspondence of this Legation, up to this date. The state of my health is such that I am unable at this time to make any comments thereon.

I have the honor to be
Very Respectfully
Your Obt. Servt

Peter Parker

Exhibit "A" Dispatch No. 4.

Macao, February 24th 1855

My Dear Dr

The bearer is Mr Gonçalvez, our Interpreter, who I send to Whampoa to see the Chief of the Insurgents about some of our Lorchas which have been detained, and to try to come to an understanding how the navigation on the Canton river may be made by our flag, and on the same footing with the other nations. You would oblige me exceedingly if you could be useful to Mr Gonçalvez with your valuable advice as to the means of being introduced to Chin-Heen-Leang or otherwise favor our purpose.

I send Mr Gonçalvez without any man of war as our intentions are wholly pacific and our pretensions just.

I beg you my dear Dr a thousand pardons for the liberty I take in thus troubling you, and my only trust is placed in your benevolence towards me. Believe me my dear Sir

Yours very truly

/Signed/ Isidoro Guimarães

To H. E.

Dr P. Parker &c. &c.

Macao, March 2nd 1855

My Dear Dr,

Ho. Lock has not performed his promise about giving the signal for the rice he said he would buy, and I suspect the intention of doing with the Cargoes of the Jonk-dap and No 100. what has been done with the N°. 3. I send my Lorcha to protect those vessels, but my instructions are in the spirit of our conversation of Wednesday last, [i.e.] no intervention, no collision, prudence & moderation.

I hope you will explain my purpose in sending up the Amazona to Commodore Abbot, and assure him of my strong desire to act in concert with other Nations about the blockade. My Lorcha goes to represent my flag.

I have written to Hongkong, & as soon as I have the answer of Sir John I will let you know it. You had from my lips the assurance of my determination to prevent any conveyance of arms or ammunition to Canton, but as verba volant and scripta manent I put it now in writing. Not only I will prevent it as far as it lays in my power, but I shall punish the infraction.

With

With many excuses for so much trouble believe me my dear Sir

Yours truly

/Signed/ Isidoro Fr. Guimarães

To H.E.

Dr. P. Parker Esq. U.S. Commissioner in China.

3

Canton, 5th March 1855.

My Dear Governor,

Your note of the 2d inst. was received last evening. I have but a moment to write you this morning. After the dispatch of the Shanghai Mail I will write you fully. In the meantime you will hear from Mr. Gonçalvez the progress he is making. I have already anticipated your wishes in regard to Com: Abbot who returned to Whampoa on Saturday, and he expresses his readiness to promote your views, & on my way from Macao I requested the U.S. Consular Agent to deliver a message from me to Ho-Tsock as soon as he returns to Whampoa, he being absent for a few days. Desirous of being of

the

the least service to you believe me

In haste

Yours most sincerely

/ Signed / Peter Parker

His Excellency

Isidoro F. Guimarães

Governor of Macao

&c &c &c

U. S. Ship Macedonian
Whampoa, March 5th 1855

Sir,

Since my dispatch was written in which this is enclosed, I have received your letter of this date with its enclosure from the Governor of Macao. I received a visit yesterday from the Comdr of the Portuguese Government Lorcha, & have returned it myself this P.M. He had an Interpreter of Chinese on board who had addressed a communication to the Rebel Chiefs, & was expecting a reply.

I find it necessary to proceed to Hongkong with the Macedonian immediately on account of provisions, besides other important considerations, which will prevent my seeing the Rebel Chiefs as you propose. If it was convenient for me to do so, I am not sure of its being good policy. If I should come in friendly contact with either of the Chiefs, I would certainly communicate as you suggest.

In very great haste
I am truly Yours
/Signed/ Joel Abbot

Hon: D. C. Parker
Canton

5

Canton, 5th March 1855

My Dear Sir,

I beg to enclose you a copy of a note from the Governor of Macao, and should be gratified if before you leave, you can see the Chief, and state to him the position of the Portuguese Government, and if you can obtain a written promise from him that he will no more molest the Portuguese flag you will render a service which will be duly appreciated by His Excellency, and in a friendly and unofficial way, I think it may be done.

I am respectfully
Your obt Servt
/Signed/ Peter Parker

Com: Joel Abbot
&c &c &c

Canton, 6th March 1865

My Dear Sir,

I lost no time in communicating with Com: Abbot, who has expressed his willingness in a friendly way of carrying out our wishes had he the opportunity; but unfortunately he was just getting underway for Hong Kong. However Mr. Cook, U. S. Consular Agent, reports to me he this morning went to the Rebel fort. The two principal men were away he saw however, one of the subordinates with whom he communicated, & who promised to transmit what he had to say to the Chiefs, & that on the return of Ho-Llock in 4 or 5 days, he would let him know. He was told by the men he saw that the things taken from Lorcha No. 3. should be restored as far as practicable. It seems that all the Lorchas are now returned and it is my hope they may not be again molested, By patience, perhaps indemnity may be recovered, for past losses, but I doubt if it will

will be wise policy to seek it by force.

According to the best information I can get, the Imperialists are about making a strong effort to dislodge their foe from the neighborhood of Whampoa, & not without some prospect, I think, of success.

Mr. Leslie informs me he has a communication from the Chief's this evening, & I hope it will be found satisfactory. I shall not lose sight of your wishes & will communicate any intelligence of interest I may receive. Believe me dear Sir,

Very truly Yours,

/Signed/ Peter Parker

H. E.

Isidoro F. Guimarães

Governor of Macao

&c. &c. &c.

Macao, 8th March 1855.

My Dear Sir,

I have received yours of the 6th inst, and have to thank you most heartily for your kindness. I have received official communication from the British Admiral to the effect that the Naval Forces at Whampoa will afford to our flag in that neighborhood all possible aid, and protection as far as it is permitted by the orders of the government to interfere. I have given instructions to the Comdg Officer of the Lorcha to act under the direction of Sir. W. Hoste. You know my mind about the whole affair, and so you must be sure that I shall follow your advice about the propriety of acting in the affair of the recovery of the plunder of Lorcha No 3. with all moderation and patience.

My health does not improve, and perhaps I may pay you a visit in Canton, one of these days; if I go it is only to try the effect

of

of a change.

Repeating my thanks for your good services believe me my dear Sir,

Yours truly

/Signed/ Isidoro F. Guimarães

To/

H. E.

Dr. P. Parker Esq

U. S. Commissioner in China

Exhibit "B" Dispatch No. 4

United States Consulate
Shanghai, 14th February 1855

Sir,

I have the honor to acknowledge the receipt of your dispatch dated the 30th of January.

It is my sincere desire to keep the Legation thoroughly acquainted with what may transpire at this Port of a public nature, It has so happened, the year having just closed that I am pressed with "Returns" &c &c therefore I have been compelled either to neglect the "Returns" or the Legation.

No assistance is afforded me, and I am not able to employ it, thus if I have failed in my duty to the Legation I must urge the want of assistance as excuse. Whenever any thing has been accomplished, the Legation has been advised, but it was not deemed necessary to embarass the Legation with long dispatches and copies of correspondence which Honorable had

Peter Parker Esquire
Acting Commissioner
&c &c &c

had effected nothing.

In your dispatch you infer from a British Officer's report that I had violated neutrality in a letter to the Rebels &c &c."

Enclosed please find copies of the correspondence between the Insurgents, H.B. M's Consul & myself. The Insurgents you will observe, asked the interference, and after consulting with the Admiral of the French as to what he would consent to, we answered their letters. In this connection I have the honor to acknowledge the receipt of copies of your proclamations &c &c. One of a like nature I made public some time ago, & which you will observe was also referred to in our joint answer to the second and last letter to the Insurgents. This request to deliver deserters, as also the whole letter has never been answered by them.

There the matter has ended. Is it violating neutrality to reply to an appeal to us by one of a belligerent party, and basing that reply on the only ground to which the

the other belligerent would consent ??

You will certainly say not. The Naval officers of G. B. and the U. S. first took up the case, what they did, I do not know, but I am certain that the Rebels addressed the foreign Consuls first on the subject of the surender. Nothing however could be effected. The French have since attacked the City twice, once by landing men and were compelled to retire from the walls after some loss, and on the morning of the 9th inst. by shelling the City from their ships, while the Imperialists attempted to scale the walls on the South side. Their combined efforts so far have been unavailing.

Last Summer while H. E. Woo Tsaotar was in power he addressed a letter to Mr. McLane on the subject of the right of Chinese subjects to reside in the foreign settlement, in which H. E. Woo claimed that when China opened her five ports for trade, she provided that the Chinese local officers in conjunction with those

of

of the Treaty Powers should mark out and define the foreign limits, and that all Chinese living within those limits, must sell their property to foreigners and remove, the foreigners paying just prices for the land. That the Impl Govt were at war with a portion of their people, that Chinese living in the foreign settlement had been giving them aid and provisions, while the Impl forces were not allowed to enter the settlement to arrest those thus doing them a great injury, and that the Chinese authorities never having yielded their control over their own people either by Treaty or special conventions, therefore claimed to remove the Chinese as provided by Treaty from within the limits allotted to foreigners. &c &c.

His Excellency Mr. McLane read this letter with great interest and wrote on the back his entire concurrence in its demands. Accordingly under his instructions it became one of the Articles of the Consular Convention made with Govr.

Keith

Keih on the construction of the wall. The Municipality have three times called on the foreign Consuls to urge Gov: Keih to carry out his promise on this point, and once in a public meeting the Consuls were twitted by the Municipality with the fact that Gov: Keih had not done what they so much needed and what he had promised, viz; the removing of the houses on the Yan King pang and opening up a street at right angles thereto.

This matter I never paid much attention to, but the point of the Convention I made the most important was the Compensation for the Missionaries. After I had succeeded in this, H. B. M's Consul without my knowledge, persuaded Keih, I suppose, to make the removal on the Yan King pang and in so much as the grant was originally made to his predecessor Balfour, the Chinese Authorities and H. B. M's Consul joined in proclamations for the removal of the Chinese houses from the points designated,

within

within a given time. Foreigners who had been speculating in land & houses took upon themselves to advise Chinese not to go, and in some instances the advice was followed, which resulted in the loss of their houses, while those who obeyed their officials saved everything. The same designing foreigners through the press & now the "bund" did all they could to incite an insurrection against the Chinese officials engaged in the removal of said houses, but the foretold "emeute" did not come to pass, and the entire bund is clear giving a line of defence to the settlement which is needed to be secured.

The land thus brought into public Market is of great value, & the Chinese authorities have agreed that it may be put up to public auction and sold to the highest bidder, thus giving the owners the advantage of the highest price.

The Taotai has sent in a deed the kind he will sign, I enclose one to the Legation, & will remark that no deeds have been issued by the Chinese

authorities

Authorities since the fall of the City Sept 7th 1853. They now evince a willingness to examine all deeds of land purchased since then and to issue the kind I have enclosed. It will be observed that the Authorities will allow Chinese to live in the settlement, but that they must first acquire a title to do so, which title will be granted at the request of the foreign Consuls, or any one of them. The points gained by this deed appear to be, first, Foreigners leave Chinamen to the jurisdiction of their own Authorities. 2d. they get rid of a bad and useless class in the Community & 3rd, they secure the services of the best Chinese under a thorough title, which they never have had within the foreign settlement before.

After considerable correspondence and many personal interviews with Gov. Keith on the subject of compensation to the Missionaries for their houses which they had abandoned I became convinced that the Impl Officers

officers meant nothing but prevarication, accordingly when Gov. Keih addressed me a series of propositions under date of the 23rd of Dec/64, in relation to occupying the race course, removing houses on the Sang-King-pang &c &c. I replied that I could have no further communication with the Chinese Authorities but should stand firmly on the Treaty and hold them responsible for any infringement on their part. Copies of these letters are herewith transmitted, also copies of the declaration of seige & blockade issued by the French, and my Circulars to Am: Residents in relation thereto.

As near as possible I have now given a faithful "resume" of events at Shanghai in which I have had a part, since the departure of His Excellency H.M. McLane & I hope you may find every step strictly legal & within the scope of the Treaty of Wanghsia.

I have the honor to be
Respectfully
Your most obt. Servant
(Signed) R. C. Mumphy
Consul U.S.A

Consular Seal.

Liu Chewen to the Consuls of Great Britain and the United States.

A respectful Statement. Upon the receipt of the letter addressed to me by the High Naval officers of your Honorable Countries, I sent a detailed explanation of the affair in reply, my desire being that an arrangement might be made without disturbing the good understanding.

I am now in receipt of the letter addressed to me by the British and United States Consuls, in which mention is made of our surrendering the City to the French. This proposal is inconsistent with reason.

Since we embraced the Cause of patriotism we have treated others with benevolence and justice, not only have we never interfered with the Merchants and people, but they owe much to us during the year and more that we have held this City. The French have many times insulted us, but we have shown much patience, & have forborne to attack them,

them, fearing lest harm might come thereby to the Merchants and people. But if the French press us further, we shall be compelled to retaliate. I therefore make you this respectful communication in reply and wish that happiness may daily increase to you.

11th month, 30th day
20th December 1864

Translated by
/Signed/ H. N. Lay
Offct. Interpreter

Chun Ganfang to H. B. M. Consul Alcock & U. S. Consul. With prostrate head I have to make a statement. The Almighty in the Heavens above is not without regard for the lives of /human creatures/ because He desires that their souls should be saved and ascend into /Heaven./ This remark is applicable to the people of your country & other countries, who have been induced to travel many thousands of miles across a wide ocean, encountering innumerable hardships, to choose posts, at which they might have trade and contract friendly relations,- with what object but to turn men's hearts by the promulgation of religion, and to profit by mutual commerce; in the cause of the Almighty to diffuse virtue, and to lead men to the observance of religion.

We in this City are at deadly war with the Devilish Imperialists, because of the corruptness of their Devilish Authorities, because of their multiplied injustice, which rousing the indignation of all, moved Tai ping Wang to raise his standard in Kwang-Tse,

now

now five years ago. We were secretly directed by him to take the city of Shanghai; & during the year and more that we have held possession of it, we have been governed in our actions by heavenly principles, and have never dared to inflict suffering on the people. But the Devilish multitude have induced the French to attack us with their guns and to kill our innocent, good people and to burn and destroy their houses. Several days ago the devils led by them forced an entrance into the city, slaughtered old and young, male and female and fired & burned very many houses, — and all this for the sake of plunder and booty. But pen cannot describe the heart rending sights of cruelty committed by them. Instead of destroying life/the French/ should endeavor to save life, but instead of protectors they have become slaughterers. Such as have the smallest particle of feeling cannot bear to be witness of their conduct.

I therefore submit the above outline though perhaps there is no occasion for troubling you with it,

as

as being separated only by a wall from us, you are no doubt already in full possession of the facts. But with regard to our quarrel with the Devilish Imperialists and their Devilish Authorities, I don't know why it should concern others, nor how they can bear, in violation of all right principle, to assist the devilish vagabonds in ruthlessly slaughtering several hundreds of good people, whose lives have, alas! been cruelly sacrificed without Cause.

I have now to request that your Country will deliberate on our behalf. Suppose yourselves in our position, & consider what you would do under these circumstances, at the present moment. If any proposal can be made whereby the lives of several thousands can be spared, which would secure to us liberty to go whither we please, and if the proposal be one that can be complied with, I shall be prepared to comply with it. I hope that you will send us an answer quickly, as I shall anxiously expect it.

Written

Written on the 21st day of the 11th moon.
/9th January 1855/
Translated by
/Signed/ H. N. Lay

11

The Consuls of Great Britain & the United States of America to Lew lechuen, Chun gan pang, and Chun ayew.

We have separately received a letter from Chun ganpang, requesting that we will deliberate on your behalf and stating that if any proposal can be made whereby the lives of thousands might be spared, and you and the rest of your companions might be secured liberty to go where you pleased you are prepared to comply with it.

Before the last attack made upon you by the French, we proposed to you to enter into managements for averting the worst calamities with which you were threatened, and you refused to listen. Although you now come forward to request we will

deliberate

deliberate on your behalf, we read nothing in your letter to give us assurance that the Chiefs with their followers are all really prepared to comply with the only conditions that can be contemplated. You have at this moment many Foreigners, deserters & others amenable to our laws, to whom you have given asylum. These men being all subject to their several Govts ought not to be harboured by you. If therefore you are serious in your intentions to evacuate the City, provided you can leave it with safety, and are all agreed upon this point, and are moreover as you profess to be anxious on behalf of the Shanghai People, it is better that you should collectively address us to that effect omitting in future all assumption of equality with the French, & give up these Foreigners to their own Authorities to whom they properly belong.

With this earnest of your sincerity & unanimity we will then deliberate on your behalf. But we have already warned you not to be misled

into

into an attempt to hold out against the French, who are strong enough to destroy you sooner or later, they can easily send for more men & ships if they have not already enough, even were there no danger of all Foreign Powers combining to compel you to leave the City where you not only give harbor to deserters and Criminals of our respective Nations but are otherwise a continual source of injury & mischief. But the French however are generous as well as strong & powerful; if therefore you are anxious for the safety of the unfortunate inhabitants shut up in the City and desire to secure your own safety your best course will be to avail yourselves of the present time to arrange with the French Admiral terms of capitulation, & if we see that you are earnestly desirous of evacuating the City we will not refuse our good offices, to prevent further bloodshed and loss of life

/Signed/ R. C. Murphy
Consul U. S. A

A letter from the Consuls of Great Britain and the United States to Lew, Lin and Chai.

We have received your letters, stating that there had been a collision between the men under your orders in the City and the French Naval Forces, and we distinctly inform you in reply, that it is for you to make peace with the French, and that if you do not, the consequences must be on your own heads, and no assistance or support is to be looked for from the Naval Forces of our respective Countries. If however you are aware of your great danger, and see fit within <u>three hours</u> to apply to us to arrange for the immediate Capitulation of the City, as the only means of saving a great loss of life both to yourselves and the harmless population whom you keep prisoners inside the City walls, we will see the French Admiral and try what can be done. The condition of our intervention is, that you bind yourselves to accept whatever terms we may agree to. This is the only means of safety left to the chief body of those under

under your orders;- reflect and decide at once.

/Signed/ Rutherford Alcock
H. B. M. Consul

/P.o/ R. C. Murphy
Consul U. S. A.

2 P.M.
11th December 1854

The wall that was destroyed at Taylor's bridge supplies being more abundant than formerly, and those strong foreigners who are paid to seize individuals and cause innocent people to be decapitated.

Yesterday Alcock the English Consul said he would allow the Imperial Soldiers to build an encampment & guard the place at Taylor's bridge, also to allow us for the present the use of the Southern part of the race course and allow the Soldiers to come on it armed, this is Consul Alcock's just and proper management for the public good, and for which I am very glad. I have given my instructions to the Soldiers not allowing them to rove promiscuously, and to have no intercourse with foreigners; the place is very close to the foreign hongs and being afraid there may be some disturbance arise, I send an agreement for your perusal.

1st. The Imperial Soldiers may choose a spot near Taylor's bridge, or on the South part of the race course & make a Camp, & that you will issue a proclamation to inform & command the foreign merchants for the present not

to

to go on the race Course to ride or walk, & also forbid their coming to the Camp for amusement, for fear that the roving foreigners, out of the City may come in Company with them; and we are not able to distinguish them.

2nd. I have forbidden the Impl. Soldiers to go armed into the Yang-King-pang Suburb; and wish that you will command the police not to go out of the settlement to interfere with us.

3rd. The southern part of the race Course that we are to occupy for the present if sustain any injury, when peace is restored we will make it good.

4th. After the Camp is finished we will choose a place to build a wall and if the ground is hired or bought by foreigners it will be no excuse for their not hiring it to us.

5th. The bodies that are to be removed on the bank of the Yang-King-pang, I wish you to send a man to see that we do not cause to be removed those that ought not to be removed.

6th. On the north of Taylor's bridge one or two hundred feet from the

Canal

Canal, I will build a wall to the South-
-western side of the race Course, to intercept
the conveying of supplies to the City. On
the Western side of Langken bridge, at the
place where the Am: guard is stationed,
there is a barrier gate, the wall being
finished, the gate will be inside, &
the place will be entirely clear.

I hope that you will follow
these six articles, and we will have
no trouble hereafter; I have forbidden
the Impl'd Soldiers to violate them, you
ought also to inform & command all
foreigners not to violate them, and
there will be no difficulty, for which
I will be very thankful. I await your
answer in order to know that all the
foreign Merchants are acquainted with
the affair, and I will be enabled to
bring down soldiers to guard Taylor's
bridge & begin the wall, not having
received your answer, you will still
keep men to look after the race Course
for it is important.

A communication to enlighten
I again begin.

In relation to the foreign
houses

houses that are outside of the wall, and for which you want me to compensate the owners; not that I desire that small amount of money, but there is a limit to expenses, and money must not be unnecessarily expended. After the wall at Day lo's bridge is completed according to the agreement, but the wall not having been finished as yet, I request you to put a man at Day lo's house to take charge of it in order to prevent the Rebels from destroying it, in order that hereafter it may be convenient to value it.

To the Hon: Consul Murphy

Hien Feng 4th year, 11th moon, 4th day.

/Dec. 23rd 1854./

Translated by

/Signed/ F. Jenkins

R. C. Murphy &c.

To H. E. Keih Gov: of Keang Soo.

I have the honor to acknowledge the receipt of a long letter from your Ex: in relation to an agreement you propose to enter into with me. I have read your letter carefully, and without going into detail I can only reply it will be quite impossible for me to enter into any further agreements with the Chinese Authorities, for reasons which are plain no doubt to Your Ex: and for the future I must stand entirely on the Treaty, and therefore in your military operations be careful not to endanger Am: Citizens or their property, for my government expect me to take care of them, and I will not prove faithless to the trust, but hold you responsible for the acts of your soldiers which result in danger or damage to American Citizens.

Shanghai, Jan 4th 1855.

15

United States Consulate
Shanghae, December 15th 1854

Gentlemen,

I have the honor to Circulate for your information the enclosed Declaration of Seige & Blockade of the City of Shanghae, issued by His Excellency the Admiral of the Naval forces of France and officially communicated to me through my colleague the Consul ad interim.

In issuing this notification it is deemed unnecessary to define explicitly the reciprocal rights and obligations of all or any particular party; but simply to remind all persons under the jurisdiction of the U. S. Authorities, that any intercourse whatever with the besieged, without the previous consent of the besiegers, will entail a forfeiture to all claim for protection from their own authorities, & will subject all so offending to the same treatment as an enemy.

I have the honor to be
Very Respectfully
Your most Obt Servt
/Signed/ R. C. Murphy
Consul U. S. A.

To the
American Residents
at Shanghae

Translation.

Consulate of France
Shanghai & Ningpo

Shanghai, Decr 14th 1864

Sir,

The Rebels persisting in their ideas of resistance, which have been suggested to them by foreigners unworthy of all protection from the Consular Authorities of their respective Nations, and circumstances having forcibly led us to protect alone by force of arms the inhabitants, and the foreign settlement, I would beg of you to notify your colleagues of England and America the state of Seige that I declare from this day to exist between the Rebels and the French; so that they may be able to warn their fellow Citizens of the dangers they will incur in Continuing their relations with the besieged.

Receive Mr Consul the assurances of my distinguished consideration.

/Signed/ A. Lagueree

Attest a true Copy
/Signed/ B. Edan

Consul ad int^m

Title Deed.

17

Superintendent of Maritime Customs for the Province of Keang-nan; Intendant of the Soo-sung-tae Circuit, &c., &c., hereby gives this Deed for the Renting of Land.

I have received a communication from the Consul stating, that the Merchant has applied to Rent in perpetuity from the Proprietors a Lot of Land, situated within the Boundaries of Ground set apart, in accordance with the Treaty, for the location of Foreign Renters at this Port of Shanghae, measuring in area *mow*, *fun*, *le*, *haou*, bounded on the North by
on the South by
on the East by
on the West by

That the said is to pay to the Proprietors a Sum of Cash, being at the Rate of Cash per *mow*; and also the Annual Low Rent of Fifteen Hundred Cash per *mow* Yearly in advance to the Government Banker.

This coming before me, the Intendant, I do hereby arrange and agree that the said Proprietors shall Rent the said quantity of Land to the Merchant upon the following conditions:—

Forasmuch, as the tenure of Ground held by Foreigners under Treaty within the limits set apart for their location, is such that no Proprietor can claim an unlimited or unconditional proprietary right therein, or exercise any right of transfer except to a Foreigner, having a recognized right of residence within the Dominions of China, and to whose occupation of Land and Tenement there exists no valid objection on the part of the Consular or Chinese Authorities: And, whereas, by certain special conventions between the Local and Consular Authorities, Foreigners have been secured many privileges in addition to the right of renting and occupying Land and Houses, but have neither by Treaty nor by the several local conventions entered into obtained any right to acquire Land and Houses *for the purpose of trading in them* with the Chinese: And inasmuch, as no Chinese Subject can legally enter into possession of any Land, Tenements, or Houses, within the aforesaid limits, unless both Chinese and Consular Authorities grant him an Official Act of Authorization under their Seals, legalizing such transfer of interest, which said Act may be granted or refused in the exercise of their discretion:

The conditions of this Deed, therefore, are; That if the said his Heirs, or Assigns, shall hereafter make over his or their interest in the Ground now rented to another party, without reporting the same to his or their Consul, and through him to the Taoutae for the time being, for their joint assent and concurrence, and for the due registration of the transaction in their respective Records; or if the said , his Heirs, or Assigns, shall at any time transfer or make over the whole or any portion of the above specified Lot of Ground, or shall build, or allow to be built, any Houses or Tenements of whatever kind thereupon for the occupation of Chinese, or let or permit the same to be leased or let to Chinese, without the before-mentioned Act of Authorization, first had and obtained; or, if the said neglect to pay Yearly in advance the said Low Rent of Fifteen Hundred Cash per *mow*, then, and in each of these several cases, this Deed shall become null and void, and the Proprietorship of the said Land, Houses, and Tenements, shall revert to the Lord of the Soil.

A necessary Deed for the Renting of Land.

year, **L. S.** *of* *Intendant of Circuit.* month, day.

185 .

No. of Lot, *No. of Title Deed,*

True Translation,

Interpreter.

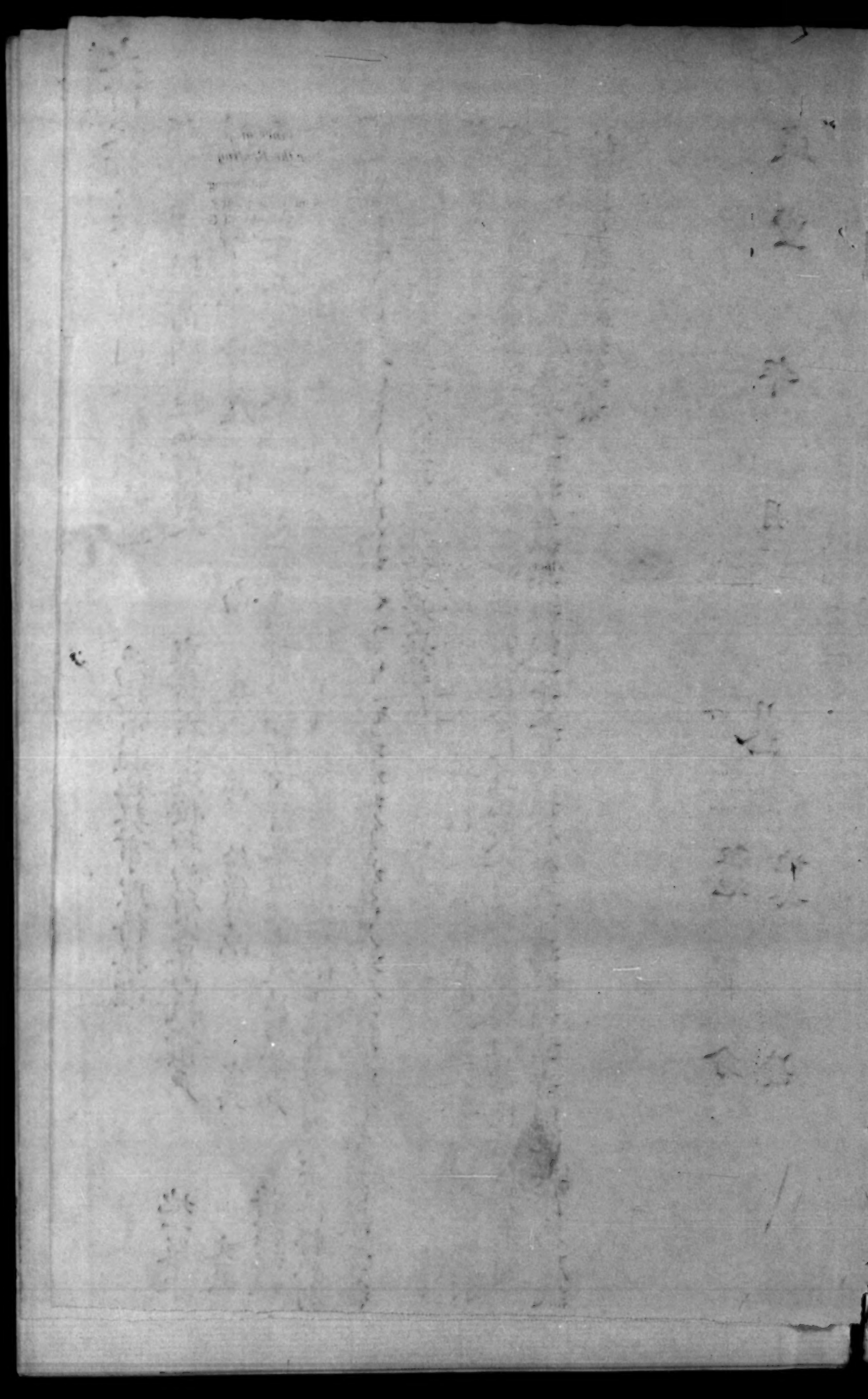
18

大清欽命監督江南海關蘇松太兵備道

為給出租地契事照得接准

領事官 照會內開今據本國商人 稟請在上海按和約所定界內租業戶 地一段永遠租賃計 畝分座 毫北 南 東 西 給價每畝 文共 年租每畝一千五百文共錢 文每年預付銀號等因前來准此本道已飭業戶 將該地租給該商 收用務照後開各条遵行查按外國人按和約在界內租定地畝不能自由已便亦不得轉與別國亦曾在在中國之人必須中國官憲與 領事官 視其租地賃房無異妨礙方准租住又查向議章程雖外國人有通融得益之處但無准租地賃房與華民展轉貨賣若華民欲在界內租地賃房須由 領事官與中國官憲酌給蓋印憑據始可准行上列各条倘該商 並後代管業之人將來以其地轉與不稟明本國領事官并道憲批准登籍將其地整段分段或已或人另造房屋轉租華民居住若未領兩國官憲允准憑據並每年不將每畝年租錢一千五百文預付銀號違犯斯章者則此契作為廢紙地即歸官須至租地契者

咸豐 年 月 日給 租地契 分號



United States Consulate
Shanghai, March 12th 1855

Unofficial

Sir,

I have the honor to acknowledge the receipt of your dispatches containing duplicates of papers which I had previously received, also a dispatch dated at Canton March 6th 1855 from the Legation of the United States, which by an oversight has not been signed and I therefore most respectfully return it in order that the omission may be supplied, and then returned home.

Pending this you will permit me to say that I have recd the instructions of the Honorable Secretary of State addressed direct to this office in which I am instructed "to cancel all bonds and obligations received by me or my predecessor under the provisional rules for clearing ships issued by Mr. Cunningham with the approval of the

the late Commissioner on the 9th Sept. 1853, and return them to the parties to whom they respectively belong. You will also immediately rescind the said regulations." The last sentence is, "You will in the meanwhile keep the Department accurately informed of the Course of events."

The bonds and obligations have been returned to the Am. Merchants, and the provisional rules have been rescinded, and a state of the case is presented not contemplated at the date of said instructions, and I have advised the Department fully of the "Course of events" and asked for instructions, which when received will be faithfully Complied with.

The record of the U.S. Consular Court of Shanghai shows that the defendants were subpoenaed before the Court in accordance with the law of Congress 11 Aug 1848 and that it was composed of U.S. Consul as Judge, John Popel & B. Freeland, Citizens of the U.S. as Associates, and that after the parties were subpoenaed and the Court convened, notice was given

that

that the parties were desirous of referring the cases to "arbitration," which is consistant with the law above referred to, and therefore the Court adjourned allowing parties further time for such an arrangement which when complete, rendered for the time being, further Judicial proceedings unnecessary.

These cases were conducted "ab initio" under the especial advice and Counsel of Mr. McLane, and in his opinion were strictly legal and in accordance with the law of Congress 11. Aug 1848.

I feel it due to you as well as to myself to mention these facts pending the return for signature of a despatch herewith enclosed and which I will answer fully on its return.

I have not as yet received any acknowledgment from the Legation of receipt of the "Judicial return of cases tried & determined at this Consulate from the 6th March to the 31st Dec. 1854, also an account current of receipts and disbursements," or of a despatch on the course of Events here since the departure of His Ex:

Mr.

Wm McLane with enclosures, all of which were sent forward two mails since.

I have the honor to be
Very Respectfully
Your obt. Servt.
(Sgd) R. L. Crumpton
Consul

Honorable
Peter Parker
&c &c &c

Legation of the United States
Canton 6th April 1835.

Sir,

The state of my health will only permit me to acknowledge the receipt of your unofficial Dispatch of the 12th Ult: and to say, in my Dispatch of the 31st of March, you have a full expression of the views of this Legation as to your duty in relation to the Instructions of the Hon: Secretary of State under date of 6th Nov: 1834, and to add that the correctness of those views are sustained by the highest legal authority I have been able to consult in this Country.

By your Dispatch before me it appears that the case of duties was <u>taken out</u> of the Consular Court and referred to the U. S. Commissioner and has never been returned to that Court.

Your Dispatch of the 30th Jany enclosing the returns of Judicial Fees &c has been duly

received

received and transmitted to Congress
also one of the 14th Febr. containing
a resumé of Events, all of which
were very satisfactory.

Please by Earliest opportunity to inform H. E. Gov: Reich,
that his Dispatch of the 8th March
has been received and will be
acknowledged so soon as my
health will permit.

I have the honor to be
Sir,
Your Respectfully
Obt. Servt.
Peter Parker
Acting Commissioner &c
U. S. A. China

/signed/

R. C. Murphy Esq
U. S. Consul
Shanghai

Exhibit "C", Dispatch No. 4

Ningpo, China 24th Feby 1855

Sir,

I have the honor to inform you that I have this day handed over the documents &c. belonging to the U. S. Consulate at this Port, to the Rev: M. S. Knowlton of this place, under seal and directed to D. J. Macgowan Esq. M. D. who has been appointed U. S. Vice Consul for this port by Townsend Harris Esq. U. S. Consul &c. and that I shall no longer continue to act under the appointment of H. E. the U. S. Commissioner, as "Acting Consul & Commercial agent of the U. S. A. at the Port of Ningpo."

I have the honor to be
Respectfully
Your Obt. Servt
/Signed/ D. B. McCartee
Lately Acting Consul
U. S. A. for the port of
Ningpo.

To/
The Hon: P. Parker
Chargé des affaires of the U. S. A
&c &c &c
Canton, China

British Consulate
Canton, 14th March 1855

Sir,

I have the honor to acquaint you that having received instructions from His Excellency Sir John Bowring &c — &c — &c. to proceed to Shanghai and relieve Mr. Consul Alcock at that Port, I have handed over charge of Her Britanic Majesty's Consulate at Canton to Mr. Vice Consul Elmslie, pending Mr. Alcock's arrival to assume the office of Her Britanic Majesty's Consul.

In notifying these arrangements I take the opportunity thus afforded me of expressing my thanks for the confidence and consideration I have met with from Your Excellency as Her Britanic Majesty's Consul at Canton during the dangers and difficulties which have lately pressed so continually upon the Foreign Interests at this Port.

I

British Consulate
Canton, 14th March 1855

Sir,

I have the honor to acquaint you that having received instructions from His Excellency Sir John Bowring &c — &c — &c. to proceed to Shanghai and relieve Mr. Consul Alcock at that Port, I have handed over charge of Her Britanic Majesty's Consulate at Canton to Mr. Vice Consul Elmslie, pending Mr. Alcock's arrival to assume the office of Her Britanic Majesty's Consul.

In notifying these arrangements I take the opportunity thus afforded me of expressing my thanks for the confidence and consideration I have met with from Your Excellency as Her Britanic Majesty's Consul at Canton during the dangers and difficulties which have lately pressed so continually upon the Foreign Interests at this Port.

I

I have the honor to be,
Sir,
Your most obedient,
humble servant,
/Sgd/ D. B. Robertson

His Excellency
The Honorable P. Parker
United States Commissioner
Acting
&c — &c — &c

Canton, March 31st 1856.

23

Sir,

The Undersigned American Merchants, Ship owners and Underwriters, would call to your attention the losses that have fallen upon them and their constituents in the United States, by accidents that have occurred at the Port of Shanghai during the past twelve months, mainly owing to the want of lights or beacons at the entrance of the river, and would respectfully request that you will take such steps as may be necessary to bring the matter before the Chinese authorities with a view to establishing the necessary facilities for entering the Port.

We hope that in Cooperation with the British Authorities you may be able to induce the Chinese to act in this matter without delay, and as it will doubtless

doubtless be necessary to propose a plan for their adoption we would suggest the following, as most simple and practicable, as well as equitable for all foreign interests.

The Chinese Authorities at Shanghai having in conjunction with the American and British Consuls, determined the character of the required lights and beacons, they to advertise for tenders to contract for the establishment and maintenance of the said lights and beacons for a term of years, the contractor receiving in full payment on his contract, a rate of light dues on all foreign tonnage, the same to be collected for his benefit by the Chinese through the foreign Consuls as in the present tonnage dues.

We believe this arrangement to be perfectly feasible and one that would save any protracted correspondence with

the

the Chinese upon the question being brought to their notice.

We are, Sir,
Your obt Servts
(Sgd) Russell & Co, Agents for
the China Mutual Ins. Co of Boston & the Hon Ins Comp of New York
(Do) James Purdon & Co
" W. C. Hunter
Alood & Co
" Augustine Heard & Co
" Nye Brothers & Co
" Henry W. Hubbell
Agent N.Y. Mutual Ins Co
of New York.

Legation of the United States
Macao, 21st March 1855

Capt. Amos Peck
Master United States Ship "Hound"
Macao

Sir,

In reference to the Charter Party this day submitted for my opinion, I have to state.

1. Although it is contemplated to take passengers from a foreign port to a foreign port - say from Macao to Habana - from a Portuguese to a Spanish port - yet the vessel & master are both American, and sailing under the United States flag - and are amenable to the United States laws.
2. This was manifestly understood by the Charterer when in New York he applied to the U. S. Surveyor & obtained a Survey of the vessel and determined the number of passengers which by the laws of the United States she is capable of carrying.

3.

3. By the terms of the Charter-party you are to obey the instructions of the Charterer, except not to jeopardize the interests of the owners of the Ship - but were you to be guided by the Spanish Law in determining the number of your passengers, & by stress of weather, or any other cause which though not probable, yet is possible, you should be compelled to put into a Port of the United States, by the 8th & 9th Sec. of the Passenger act of 1848 - the vessel would be liable to forfeiture, & you subject to fine and imprisonment.

This opinion is confirmed by U. S. Naval officers of experience in these matters, with whom I have conferred.

I have the honor to be,
Sir
Your Obedient Servant
/Signed/ Peter Parker
Acting U. S. Commissioner &
China

Rec'd 21st June

Mr Perrin

No. 5. Legation of the United States
Macao, 12th April 1855.

Hon. W. L. Marcy
Secretary of State
Sir,

It becomes my painful duty to inform the Department of the precarious state of my health. My Constitution has for some time felt the influence of more than twenty years residence in the East. Such was the state of my health that two years since I sought and obtained from the Department permission to return to the United States. A temporary improvement, and other considerations, induced me to postpone availing myself of that permission. The enclosed Certificate of three Medical men, two of whom are experienced Physicians and long residents in China, will apprise you that a change of climate may not longer be deferred with impunity.

I

I may be necessitated to
leave China by the steamer of the
15th May. In the event of my
being compelled to leave before
the return of His Excellency Mr.
McLane, I shall request Com-
modore Abbot, in the interim,
to attend to such matters as may
occur affecting the interests of
our Government or Citizens, in
China, as the exigencies may
require. Unable to add more
I have the honor to remain,
Sir,
With sentiments of distinguished
Consideration,
Your Respectfully
Most Obt. Servant
Peter Parker

Copy

Canton, April 10th 1855.

I hereby Certify that I have attended the Honorable Peter Parker for some time past, professionally, and have had opportunities of knowing the state of his health for a longer period.

I am of opinion upon a due consideration of his whole case, & his lengthened residence in the East, that it is of the first importance that he should immediately leave Canton & totally relinquishing business, endeavor to re-establish his health by obtaining the benefit of change of Climate & of scene.

/Signed/ Walter. Dickson. M.D.

I fully coincide with the above opinion. /Signed/ Jno. G. Kerr

I fully agree with the above
/Signed/ J. B. Watson M.D.

I Certify the above to be a true Copy.
J. Monroe Bibb

Rec'd 23d July

No. 6

Legation of the United States
Canton, 4th May 1855

Hon:
W. L. Marcy
Secretary of State
Washington.

Sir,

Under date of the 12th ultimo, I had the honor to inform you that the precarious state of my health might require me to leave this climate, since which time I have been a great sufferer, and it becomes indispensable that I leave this Country on my return to the United States by the Steamer of the 10th instant.

The Archives and everything pertaining to the Legation I have made over to Robert S. Sturgis Esq, United States Vice Consul at Canton, and have requested Commodore Abbot in the event of Mr McLane's not arriving as anticipated, by the next Mail, to meet any emergencies that may arise affecting the Governments of the United

States

States and China.

With sentiments of high regard
I have the honor to be
Very respectfully
Your most obt. Servt
Peter Parker.

No. 1. Washington 17th Sept. 1855.

Hon. Wm. L. Marcy

Secretary of State.

Sir,

In the draft of your contemplated instructions to the U. S. Commissioner to China and of the Letter of the President to the Emperor of China a number of the topics to which I wish to advert is anticipated. Conformably with your directions I beg herewith to enumerate several subjects that remain, upon which I desire definite instructions. Viz.

1. Has the United States Commissioner original jurisdiction as well as appellate; under the Act of Congress of the 11th August 1848. Vide my despatch to the Department No. 1. under date of 12th January 1853. —

2. Was my action right in regard to the Malay murderers? Vide Despatch No 2 of 25th Feb. 1855. Enclosure No. 24.

3. Was my decision right in regard to the question of the U.S. flag on the

Jurisdiction of the Commissioner in China.

bottom page next word here

the case presented in my Despatch No. 3 dated 18 March 1853? I do not see how we can interfere with the Chinese Authorities in the Ports opened to Foreign Trade.

4. The employment of foreign officers in the Chinese Custom House at Shanghae. This is objected to by the merchants on the ground that they have raised difficulties never thought of by the Chinese officials.

5. Under the provisions of the Treaty of Tientsin, are the American merchants entitled to the right of employing Chinese agents to take their money & repair to the interior and purchase teas, silks & other produce, & if so, in the event of the loss of the money or the plunder of the goods when purchased, are they entitled to the interposition of the Chinese Authorities to redress their grievances? or is it at the risk of the foreign merchant that such agency is employed? The merchants are also responsible for their agents — Govt will not interfere

6th Has the U.S. Commissioner any jurisdiction & control over U.S. Consuls in China? If any, what? Until recently the circumstance has not been questioned by the Consuls & the Chinese & Diplomatic Authorities have acted

This Board is to be consulted in Manila by the Governor & Board

acted harmoniously – & when the former have differed in judgment from the latter they have still deferred to his views appealing therefrom to the State Department which has been satisfactory to both. Vide the case of C.W. Brady, U.S. Consul at Amoy, & Edward Cunningham, U.S. Vice Consul, Shanghae.

1. By the 25th Article of our treaty "all controversies occurring in China between citizens of the United States and the subjects of other governments shall be regulated by the treaties existing between the U.S. and such governments respectively, without any interference on the part of China." but it is questionable whether any treaty between the U.S. & Western Nations contemplates such a contingency, as that of a controversy between the citizens of the former & the subjects of the latter, in a third country, and yet not cognizable by the laws of that third power. How then shall such controversies under our treaty, be disposed of?

2 Do not think our authorities in China have cognizance in such case.

8th In connection with the foregoing, a decision of the question of Messrs Reiss & Co. addressed to the Legation, & referred to the State Department is desired. I am,

Respectfully
No. 13
28 Mar
-67.

In the case of an English House in China, holding a bill of exchange from an American Firm in the same country, on the event of that bill being protested or non accepted in London by what laws, (those of the U.S. or England) shall redress be sought? &c. by the laws of the U.S. prosecution may be entered at once or by those of Great Britain, past till maturity of the bill. and as in one case actions must be taken by the English Firm in China & in the other by their partners in London as is alleged. Vide Mr Parker's Despatch No 19 under date of 28 May/61 to Hon'ble Secretary of State

2nd " What decision will the Department make of the subject of claims referred by H.E. Ministr in the Lawes Despatch No 25 Dec 1854?

3rd Does shall those bands of Chinese now in armed opposition to the Manchow Dynasty be regarded & treated by the authorities, civil & naval of the U.S? Questions that have already arisen must be mentioned in their settlement by the

the answer to this interpretation
and the future course of the Commis-
sioners regulated accordingly.
11th Will the U.S. government approve
of cooperation with that of China
& the Powers in suppressing piracy
on the coast of China which of late
has become so detrimental to the
life & property of foreigners?
12th What action will Congress take
in reference to an appropriation for
pay of U.S. Marshals, & for providing
Prisons at Shanghai, Tientsin, &
Hong Kong? Vide Correspondence of
R. B. Forbes & A. H. Spooner U.S.
Vice Consuls at Canton. E. Cunning-
ham & R.C. Murphy. Shanghai &
C. Linden at Canton.
They are indispensable to the carry-
ing out of the provisions of the treaty.
My impression is that an appropria-
tion of $25,000 - or so much of that
sum as shall be found necessary,
be made, & that the Commissioners
in conjunction with the Consuls, be
instructed to use the needful in the
premises having a scrupulous regard
to economy & the public interest.

3. That an appropriation of $5,000 per annum be recommended to Congress for the purpose of keeping the several Consulates in China with Competent Interpreters or, so much of that sum as the Commissioner shall find necessary.

This subject is ably presented in the correspondence of the late Commissioner Hon: A Trenshall, and is certainly a legitimate use of the public money. In no country is it so difficult to obtain Interpreters. & in none are they so indispensible as in China. Sir. H. Pottinger once remarked that one good Chinese Interpreter was of more value to him than two regiments of soldiers. Two good Interpreters may now be secured if provision is early made for the purpose.

The subject of the Revision of the Treaty in the 3rd July 1856 is reserved for a separate communication.

With profound respect I have the honor to remain Sir.

Your most Obt Servant

Peter Parker

V

Mr Perrick

Washington 21st Oct 1943

No. 2

Hon Wm L Marcy

Secretary of State

Sir,

In reference to the relations of the County on or about the 3 of July 1856 the experience of the British government in 1854 has shed light upon the views entertained by the Chinese government upon that subject. As the right is based upon the provision of the 21st Article of our Treaty the Imperial Officers have not failed to notice & to urge the phraseology therein. Viz "by experience may show that unconsiderable modifications are requisite &c"

I am fully convinced that to accomplish anything material in the way of revising the Treaty-Tariff ground must be taken - that the experience of the past twelve years has evinced that not only unconsiderable modifications but radical changes are indispensable in order to attain the highest interests of the respective governments

government, in the perpetuity of their amicable & commercial relations.

The Program of Alterations already prepared by the Hon R. M. McLane, embraces many of the essential changes required, which need not now be recapitulated. Among others which seem essential to my mind, & have been presented by others are the modifications of the existing Tariff in some few particulars & the principles on which Shipping Dues are determined which at present are found to operate unequally upon vessels of different classes. Failing to bring the Chinese to adopt the doctrine of free trade, as proposed in the program. I shall be disposed to use my best endeavors to procure the introduction of Cotton - whether the raw materials or in fabrics, free of any duty which at present is extorted. Whilst Rice, the staple of many of the Provinces of China are duty free in the U.S. Cotton, the staple of several of our Southern States, is not a luxury, but a necessary of the people of China, should in return be also free.

The state of the currency which for the

the past few years has operated so unfavorably to our commerce, requires to be placed upon a more equitable basis - & not as a local measure, at one or more of the ports, but at all.

The 17th Article of the existing treaty will require to be remodeled - It is at present multiplied by the "phrase" due regard to the people"

The navigation of the Yang tsze Kiang Rivers, & the ports of Shanghai & Kiukiang will require improvement by the providing of beacons & light ships, & depot boats.

The desiderata of paramount interest are 1. The Residence of foreign Ministers at Peking -

2. The unlimited extension of trade, wherever within the dominions of China it is to be found.

The long catalogue of past grievances may be made available in urging the first point - do. many of which had not existed if we had enjoyed direct access to the Imperial Court at Peking - & by which the occurrence of similar complaints will be prevented.

A firm & friendly line, attended by the presence

presence of a suitable display of naval force may carry this point, but if not no harm will be done.

The second, the extensions of our commerce, may be gained by the proffer of a "quid pro quo" in our offering to the Imperial Government our moral support & such sympathy, & will as the circumstances of the case & the foreign constitution of our government will permit.

The above, without entering into minuter detail, will suffice to indicate the general views I have respectfully to submit in regard to the decisions of the Board, upon which I await the instructions of the Department, which it will be my assiduous endeavour to execute duly.

With sentiments of high esteem, I have the honor to remain,

Sir,

Your most Obt Servt

Peter Parker.

Mr Derrick

N.S. Washington 24th Feb. 1865.

Hon: W. L. Marcy
Secretary of State.

Sir.

The internal condition of China, the overthrow of the Imperial authority, partial or complete, in a number of districts and Provinces, which has cost the lives of a million, more or less, of its inhabitants, and the destruction of a vast amount of property, as first in the Provinces of Kwang-Se-Hoo-Nan, Hoo-Pih-Kiang-nan, Gan Hwuy, & subsequently in Fuh-Kien, Kiang-Se & Kwang-Tung - not to say Shan-Tung - Pih-Chih-Le & Honan, involves so many principles of international law & political expediency and of commercial & pecuniary rights, which the foreign diplomatist is daily called upon to determine & apply, that I am induced to request that two official opinions of Her Majesty's Attorney General & the Counsel of the United States be obtained thereon.

Whilst desirous of obtaining his opinions

upon the subject generally, & specifically
what it
or in the following particulars.

1. What rights are the different bands,
(for they are numerous & more or less
distinct) entitled to at the hands
of the nations in treaty relation
to the Manchow Government of
the Empire? Have they the rights of
Belligerents generally, the right to
declare Ports in a state of siege, and
to blockade the Ports to which by
Treaty, the foreign power has Com-
mercial access?

2. Is the property of the Government or
its subjects, of which in the progress
of their hostile & revolutionary movements
they possess themselves, to be considered
as the lawful prize of war?

3. May citizens of the United States
residing in China for Commercial
under the treaty of 1844
or other purposes, lawful trade
with any, or all, of their enemies of
the Chinese Government, either in
purchasing the produce and manufac-
tures of China, or in selling them
provisions and the munitions of war?

Shin, and many others that might be enumerated, are practical questions, to which the Commissioner of the United States in China, is, or will be able to be called upon daily to decide. and as a source of no small embarrassment. and his duty & that of the Consular and Naval Authorities of the U.S. essentially depend upon the rights decision thereof.

It may not be irrelevant here to state certain distinctions between these associated bands in arms against the Imperial Government.

The principal organization, in regard to numbers, strength, & progress - first known under the leadership of a Chief, styled Lew-Tih Wang - (King of Heavenly Virtue) but who has mysteriously disappeared from the State, & has been transmuted into, or succeeded by, one Tae Ping Wang (King of Universal Peace) commenced their operations in Kwang-Se - thence advanced upon & carried before them the provinces of Hoo-nan - Hoo-Peh - Kiang-Se and established their head-quarters in Nanking - in the

month of March 1862. Their position is that it has hitherto been maintained, whilst the controlling power in their provinces has alternated between them & the Imperial authorities. Professed adoption of Christianity (according to their imperfect knowledge of its doctrines) opposition to Idolatry, and an exterminating hostility to the Manchow Dynasty, are the three fundamental principles of this great party.

From the above, the isolated Bands who took firm Army, then Shanghae, and subsequently possessed themselves of a large portion of the Province of Canton, are entirely distinct, & separate from as well as each other in their operations. yet, each band, & including the principal one, (Nankin) have, only one aim in common, the overthrow of the Tartar Dynasty. The latter actions All, except those of Nankin, have purely a political aim and in view.

All, without distinction of Imperialists or their foes, use such means of warfare as they can command. Pirates are employed - & the most inhuman

atrocities are practical, by both sides.
Such, briefly, is the conditions of China,
in respect to which my queries are respectfully
submitted.

I have the honor to remain,

Sir,

Your most Obt. Servant

Peter Parker.

V

Mr Derrick

No. 4. Washington 27th Feb. 1844.

Hon. Wm L. Marcy
Secretary of State
Sir

The exigencies of the public interests of the U.S. in China constrain me to bring to the special notice of the State Department the urgent necessity which exists for the furnishing two Steamers adapted to the waters of the Coast of China.

This subject was first presented by the late Hon. A. H. Everett in 1846. The department attached to that dispatch concurring fully in the necessity for such Steamers and expressing regret that none of the disposables were at Command. The application has been repeated by each of the Commissioners in China down to the present time. and their views have been fully sustained by the Naval authorities of the U.S. in China. & particularly by Com. J. Abbot in his dispatch of the 27th June 1844 to the Hon. Sec. of the Navy.

The class of Steamers required should be
of small draft of water to enable them
to approach each of the five principal
that infest the coast of Chinese, into
the shallow bays, inaccessible, not
only to our large Steamers, but even
to our first-rate-of-war.
These Steamers should be made as effective
as possible, both in their armament
& their Steam Power. The latter is important
to enable them to steam against the strong
monsoons, with which they must contend
at times.

On the score of the greatest economy
& the highest degree of efficiency
the necessity of adopting such a class
is fully evident, and I respectfully
submit the subject to your consideration
& trust that through the appropriate
channel it may, if necessary be
brought to the favorable notice
of Congress.

Very Respectfully
Your Obedient Servant
Peter Parker.

V

No. 5. Washington 27th Feb. 1855.

Hon: Wm L. Marcy
Secretary of State.

Sir.

In compliance with your directions I proceed to embody in form of a Memorandum several subjects connected with the United States interests in China to be submitted for Legislative of Congress.

1. An appropriation for the purchasing of Pilots, at the five Ports of China. A Provision inhibitive to the execution of the Treaty, & the Act of Congress of 11th Aug. 1848.

My respectful Recommendation is that an appropriation be made of $25000, or so much thereof as shall be found necessary, and that the Commissioner, in conjunction with the Consuls, be authorized to do the needful in procuring those Pilots, having a scrupulous regard to economy & the public interests.

Vide. Correspondence of the U.S. Legation

and Consulates where this subject.

2. A provision for the appointment by the U.S. Marshals in China.

Suggested, that the Marshals be appointed by the Commissioner, or if appointed by the Court of the port for which he is appointed that the same be subject to the approval of the Commissioner. & that $1000. or $1500. will be a sufficient salary.

3. That Provision be made for furnishing the several Consulates in China with competent Interpreters.

Submitted, that an appropriation of $8000. pr. Annm be made for this object, or so much thereof as the Consuls, with the approval of the Commissioner, shall find to be necessary.

N.B. This subject is only presented in the correspondence of the former Commissioner, Hon: H. Marshall. J. C.

To furnish such Interpreters is certainly a legitimate use of public money. In no country is it so difficult to

obtains interpreters, and it must all
they be indispensable, as in China.
4. That the salary of Secretary of
Legation & Chinese Interpreter
hitherto but $2500. per. annm. be
raised to $4500.
The reasons for this are that the
sum of $2500 for the two offices
scarcely equals a fair compensation
for either; & further the office
has been absolutely declined by
the appointee, unless the salary
be increased. And when the prices
required, & the expense of living in
that Country, are considered,
it will be seen that the salary
named is but just.

Very Respectfully
Your Obt. Servt
Peter Parker.

Three Persons

Canton —
Foochow —
Shanghai —

The Court should have
the power to appt
marshals - is there
any constitutional
objection —

Rec'd 10 Oct

Mr. Derrick

Tremont House. Boston. 8th Oct. 1855.

Hon. Wm. L. Marcy

Secretary of State

Sir,

I have the honor to be in receipt of your despatch No 2. of the 27th ult. and its enclosures, and to inform you that I expect to embark from this city in the "America" on the 10th instant. In London I shall hope to receive the remaining documents, which could not be made ready before my embarkation. It is my purpose to embark from England for China by the mail that leaves Southampton on the 4th & Marseilles on the 9th proximo, & despatches forwarded to me (care of John Miller Esq London) by the Steamer of the 22nd inst will reach me in time.

Permit me respectfully to suggest that it will be most desirable for me to have the decision of the Department upon the "Hampden unpaid duty question" on my arrival in Europe, as well as the decision of the Attorney

General upon the Act of Congress 11th of August 1848, and also to have the pal-
=ance of my instructions.

Very Respectfully
Your most Obdt Servt
Peter Parker.

Rec'd 29. July. Mr Derrick

Mr Derrick to replace the original

Confidential

Legation of the United States
London 26th Oct 1855.

Hon. W. L. Marcy
Secretary of State

Dear Sir.

On receiving from Mr Buchanan a note of introduction to Lord Clarendon a few days since, he remarked that he should be interested to know how His Lordship received me. By appointment I called at the Foreign Office at 1 o'c p.m. on this day & the interview with His Lordship, being of a very free and friendly character, recalling the wish expressed by Mr Buchanan, and on account of the early departure of the Mail, I have called immediately at this Legation to acquaint him, and now at His Excellency's suggestion, hasten to give you also, the purport of our conversation.

On calling I expressed my regret at thus passing upon His Lordships valuable time, but still that I was reluctant to pass through London, on my way to China, without paying my respects &c. He immediately placed me at my ease, assuring me of his pleasure in seeing me, & soon

gave

gave expression to the most friendly sentiment towards the United States, which called forth from me the wish, that the same spirit might pervade the bosom of all on both sides of the Atlantic. Almost immediately, the leader of the "Times" of yesterday & that of the "Post" of to-day was alluded to in a way that authorizes me to speak freely the views I entertained of them, & that when I saw the "Times" of yesterday, I hoped that the "Post", as the Government organ, would contain something to neutralize it to day, but that I was disappointed, for if everything, the latter had gone further than the "Times". Upon this His Lordship assured me upon his honor, that excepting the London Gazette, no paper had any authority to speak for the Government. That it was only five minutes before I came in that his private Secretary had brought him the paper, then upon his table, containing the objectionable Article, which he deprecated most sincerely, & expressed his apprehension for the effect it was calculated to produce in the United States. He said it was to be deprecated from the extent of the circulation of the 'Times' that the impression was so general of its being a government organ, which it

it is not.

He remarked most emphatically upon the identity of the language, religion, and commercial interests of England & America. In reply to my observation, that it is a source of consolation that the great question of Peace or War between Nations, is not to be decided by the conductors of the Press. but by cool, reflecting, & wise statesmen, he rejoines there is another consolation that back of the press, & of Governments, he trusted there is something in the breasts of the people of both countries, still more important, & that the, or any other statesman, should without justifiable cause involve the two Countries in strife, he should expect to be stoned, and mobbed. He adverted to the subject of enlisting men in the United States, & remarked that he thought there had been undue feeling upon the subject, that he would no sooner violate the laws of the United States, than of England, & that he had great pleasure in transmitting to you, his determination not to sanction it, so soon as his attention through Mr. Buchanan was called to the subject.

The above is but a portion

portion of the most frank & friendly sentiments expressed in the course of the conversation. He playfully remarked that had always a cruse of Oil, to throw upon the troubled waters, & said that he much preferred navi-gation, in smooth water, rather than in a tempest. I shall lose no time in commit-ting to writing a minute detail of the whole conversation embracing what was said in relation to China, simply stating here that His Lordship remarked that he thought the policy of the United States Government (as I had defined it gen-erally) was most sound, & that he should soon confer with his colleagues upon the subject of China as respects his own Government.

After a full hours conversation of the most agreeable character, he expressed his great satisfaction at the interview, remarking that it had been pleasant, & that we had touched upon many topics of great im-portance.

I have only time to add my full con-viction, that so long as the Spirit mani-fested by the Right Honorable Earl, shall

prevail

prevail over the Councils & faction of all States-
men, so long all will be well.
I cannot repress the expression of my
solicitude at the present moment.
Men of business, and men well acquain-
-ted with both Governments, partake of
this anxiety, and all agree that their
relations are critical. But may God grant
that those who control & regulate these
mighty concerns (or those who any way
influence them) may not lose their self
possession, & be able by their forbearance
and wisdom, to direct them to safe &
happy issues. —

With great respect & esteem both
the President & yourself. I have the
honor to be,

Sir,

Your most obed.t Serv.t

Peter Parker

Minutes of an Interview with the Earl of Clarendon

Fenton's Hotel St James's St
London 26th Oct. 1865.

At 1 p. m. by appointment I called on the Right Honorable the Earl of Clarendon at the Foreign office Downing St. His Lordship received me in the most cordial manner, expressing his satisfaction in making my acquaintance, and asked me to be seated. I expressed my reluctance to trespass upon his Lordships valuable time, for I was sensible how much he must have to occupy it, but that I was unwilling to pass through London on my way to China, without paying my respects to His Lordship, and as it was the wish of my Government that the same concurrent Policy & Action which had so happily characterized the three great Powers in China on a recent occasion, I was also desirous of seeing him in relation to that subject. His Lordship at once convinced me that my call was agreeable, and gave utterance to sentiments so frank & friendly towards the United States, as to call forth from me the exclamation, "would to Heaven the same feeling your

Lordship

Lordship expresses might pervade the bosom of all on both sides of the Atlantic!" In limini the Leader in the London Times of yesterday, and another in the "Post" of to day, was alluded to in a way that authorized me to express freely the views I entertained of them. and I remarked that when I saw the "Times" of yesterday, I hoped the "Post," as the Government organ, would contain something to neutralize it to day, but in that I was disappointed for if anything, the latter had gone further than the "Times". Upon this His Lordship "assured me upon his honor, that excepting the "London Gazette," no paper had any authority to speak for the Government" and as for the "Times" it often abuses the Government. — That it was only five minutes before I came in, his Private Secretary had brought him the paper, then laying upon his table, calling his attention to the objectionable Article, (saying he thought it proper to do so,) which he sincerely regretted and expressed apprehension for the effect it was calculated to produce in the United States. He said it was to be deprecated also, from the extent of the circulation

of

of the "Times" that the impression was so general of its being a Government organ, which it is not. His Lordship alluded to the Russian sympathy in the United States, and remarked he could not understand it. I then stated that no American citizen is more thoroughly English, (in the proper sense of the term as used,) than I had ever been, but that the observations of His Lordship in Parliament, and repeated by Louis Napoleon on the other side the Channel had had a great effect upon my feelings, and that it was with extreme satisfaction I had learned from Mr. Buchanan since my arrival in England that His Lordship had most satisfactorily explained that. "What do you refer to?" the statement that the alliance was not for the Eastern but also for the Western Hemisphere. He laughed and denied that he used the word "Hemisphere" at all, - my language was "other parts of the world" referring to the River La Plata, in which the United States, France & England were alike interested. Upon my observing that it had always been my sentiment that England & America united, it is in their power to maintain the Peace

of

of the World; - and to bless the World.
"These are my sentiments precisely" with much earnestness, and added, I always feel different toward an American than toward any other nation, - My feeling is very different towards a Frenchman, Spaniard, Portuguese, or German. -
There are, as you are aware in every country illiberal men, and I have heard the English sometimes traduced by my Countrymen, but my feeling is ever is, to traduce an Englishman as such, is to traduce ones own pedigree. "Exactly so", and when I look upon the English and think of going to war & killing them, I regard it in no other light than to kill my own relations. " Your brothers interposed His Lordship" it would be a civil war of the worst description.
I stated that the unfriendly feeling between the Countries is local & limited, rather than general. His Lordship expressed himself most favorably toward both the President of the United States, and the Secretary of State.
Passing to the special object of my

my call. I remarked that it being the desire of the United States Government, that the same concurrent policy and action which hitherto had so happily characterized the three great Powers in China, I was solicitous to see His Lordship upon the subject, & was sure it would be the wish of Sir John Bowring, with whom my relations, personal & Official, had been most pleasant, to have me. He expressed great readiness to do so, and upon my stating generally the views entertained by the President & his Cabinet, he from Step to Step avowed his entire concurrence in them, again & again in the course of the Interview he said in response "I would express my views, in the said terms." "These are my sentiments precisely". I observed that were I a Chinese, and the greatest patriot of the Empire I could desire nothing better than is contemplated "Yes" said he "not only do our consciences approve, but the whole world must commend the Policy".

He enquires about the "Duty Question" remarking he did not know when he should hear the last of it. I stated succinctly the

the whole case, and my conviction that Mr. Mc Lane endeavored most conscientiously to render a just award, and informed him of the final decision of the United States Government. He said that the questions as respects the duties from 8th to 12th July 1844, on the part of British Merchants is still in the hands of the Lawyers. He said in reference to China, and the policy about to be pursued, he should confer with his colleagues: I offered to take anything for him to Sir John Bowring. He said he would not trouble me, but he should write Sir John and tell him how gratified he had been in making my acquaintance, His Lordship followed me to the door, and at parting remarked that conversation had been most gratifying, and that we had conversed upon many and important subjects, and referring to his former Speech regarding the alliance, by way of pleasantry observed, "I shall have great pleasure on the opening of Parliament, to speak of the Triple

Alliance. And with a cordial shake of the hand.- we parted.

Peter Parker.

P.S. In connection with the supposed interferance with the affairs of the United States as inferred from his speech in Parliament He said "formerly there was an unwise ambition to acquire Influence, as it was supposed, in concerning oneself in the affairs of other Nations. & particularized Greece, (and I think Spain) but it was not so", and to my observations that in giving to Greece, a King, not only was there no corresponding advantage, but in a degree, a responsibility is incurred for the Acts of such a nominee, "precisely so" was his reply, and added "if other nations do wrong, we may be sony for it, but cannot help it."

In reference to the modifications of the Chinese Policy and the extension of intercourse and trade, he asked how the People would like it, I replied that they would be delighted, "That is all important, I am delighted to hear it."

In the course of the interview I remarked that

that I thought the turn affairs had taken in the Chinese might operate favorably upon China, and asked why the English & French forces in the Pacific might not just as well anchor in the Gulf of Pichele for a fortnight, during the negociations, as in the harbor of Hong Kong? "Just as well." was his reply. In regard to Piracy he remarked "it was not worth while to be too Mealy Mouthed about it" and that he had recently addressed the Admiralty on the subject.

P. C.

Rec'd 1. Dec. Mr Abbott Derrick

Paris 8th Nov. 1855.

Hon Wm L. Marcy
Secretary of State

Sir.

On the 26th ultimo I had the honor of addressing you hastily a confidential Despatch from London, conveying the purport of a very satisfactory interview with the Right Honorable the Earl of Clarendon, and I now embrace an opportunity of informing you that I have this day, by appointment, spent an hour most satisfactorily, with H. E. Count Walewski the French Minister for Foreign Affairs.

He received me with much cordiality and on stating my object in waiting on him, and explaining the policy which it is the wish of our government to pursue towards China, he expressed entire concurrence therewith in every particular, and volunteered to instruct "the French authorities in China" accordingly.

I stated the fact that I bear to the Emperor of China, a letter from the President of the United States, addressed in a frank and friendly spirit, in which allusion is made to the residence of the Representative of the U.S. at Peking, and with his permission, I would offer a suggestion — ("most certainly" was his ready reply) —

– namely, that a similar letter be addressed in the name of His Majesty the Emperor of France, adding my conviction of the influence such letters, coming simultaneously from the Chief Rulers of France, England & America, are calculated to produce upon his Imperial Majesty at Peking. The suggestion was received most cordially and the Count proposed at once to correspond with Lord Clarendon upon the subject, that the Queen of England might be induced to concur in the measure.

During this protracted interview his Excellency asked many questions respecting the Mantchow Dynasty – the succession to the throne, – the Rebellion, – the present trade with the country – and existing treaties. He sent for a large map of China, traced out the five free ports, Peking and the mode of access to it, noticed particularly the time when the negotiations are to be entered upon, the naval forces in China &c &c. I repeated an observation made to Lord Clarendon, that it had occurred to me that the Crimea events had recently taken in the Crimea might operate favorably in relation to China – that the English & French naval forces might anchor as well for a fortnight in the Gulf of Pitchele, whilst

negotiations are pending, as in the harbor of Hongkong - & to which Lord Clarendon had subscribed most fully. Count Walewski to this also gave unreserved approval, the object of the force being purely to give prestige to the negotiators.

On taking leave, his Excellency gave repeated expressions to his satisfaction in making my acquaintance, and also in the agreeable interview, and in terms similar to those used on the former occasion by the Earl of Clarendon, added at parting "that good & important results may come of the conference"

I learn from the Foreign Secretary that M. de Bourboulon, - French Minister in China - is soon to return to Paris, & that Count de Courcy, - Secy of Legation, - is to be left in charge - & that M. Montigny - French Consul at Shanghae & now in this city - is about to return - being empowered to negotiate with Siam a Treaty similar to that of Great Britain - & that two national vessels have already been despatched around the Cape, to be at his service for the occasion.

By late news from China, it appears Sir J. Bowring, had sent his Chinese Secretary in H. M. Steamer "Rattler" as Envoy, on a preliminary visit to Cochin China, which may probably, as well as Siam,

deserve the attention of the United States Government
With the above exceptions, no subject foreign to China,
the object of the interview, was broached

Tomorrow evening, I proceed with my private
Secretary, Mr D. C. Sphant Vail, to Marseilles thence embark in the
P. & O. Steamer "Alhambra" for Malta & there take the
"Euxine" for Alexandria en route to China.

It affords me pleasure to state that my
health has materially improved since leaving the United
States.

Availing myself of the occasion to renew to
Your Excellency, & to the President the assurance
of my distinguished consideration, I have the honor
to remain, Sir

Very Respectfully
Your Obedient Servant

Peter Parker.

N. B. I had the honor before leaving London to
be in receipt of your Despatch No 3. of the 4th
Oct, & the accompanying decision of the Hon'ble the
Attorney General.

V

Rec'd 21. March Mr Derrick Done

No 1. Legation of the United States
(Hongkong) 11th Jan'y 1856

Hon. W. L. Marcy
Secretary of State
Sir.

I have the honor to inform you of my arrival in the S.t O. St "Madras" at Hongkong, on the morning of the 31st ult. The same day I addressed Mr Williams, the Secretary of Legation, directing him to announce my appointment by the President, & my arrival in China, and that I should embrace an early opportunity of transmitting to His Imperial Majesty a Letter of Credence I bear from the President (Enclosure A) At Point de Galle a letter awaited me from H. E. Sir John Bowring, inviting me to make the Government House my home on my arrival in Hongkong, during my stay in that Colony, which invitation was renewed on my landing, in a manner I could not well decline, H.E. claiming it as his privilege, such as, in a change of circumstances, he should expect and receive. Circumstances beyond my control have detained me here beyond my convenience, but I shall leave for Macao at the first moment practicable, where I shall temporarily establish the

the Legation

Mr Perry, our Consul at Canton, met me at this place immediately on receiving notice of my arrival, and Dr Williams, the Secretary of Legation, in a few days after, from whom I wished to learn what had transpired during my absence, and the present state of affairs in China

It were premature for me to undertake by this mail to attempt to give any detailed account of the political condition, and foreign commercial relations of the Empire, and I shall reserve the subject for a future despatch. I may state generally, commerce is much improved at the five ports, particularly at Canton. The internal state of the country is most deplorable. One hundred and fifty thousand in Nanking are reported to have been carried off by plague, a fresh rebellion is said to have broken out in Honan, - whilst famine prevails in the province of Se Chuen. Fresh troubles are also reported in Kwang Se.

Dr Williams has decided to continue in the discharge of the duties of his office as Secretary of Legation and Chinese Interpreter, for the present year, unless instructions from the Society with which he has been connected shall

shall induce him to reverse his decision; but it is in the expectation that the salary be raised to $4500., short of which he cannot permanently accept the office. My views upon this subject have been so fully expressed that I need not repeat them.

A variety of subjects of public and private interest have already been pressed upon my attention, particularly that of the "Chinese Coolie Trade", and I have now the honor of transmitting to the Department my Public Notification of the 10th inst (Enclosure B), which I trust will meet your approbation.

Before this reaches you, you will have heard of the case of the American Ship "Waverley" in which two hundred and forty Chinese lives were sacrificed in a most inhuman manner. When I came to the investigation of this traffic, I had no adequate conception of its enormities, and the strong terms in which I have described it are fully sustained by official documents and the most reliable testimony (Vide Correspondence upon the subject of Emigration from China, presented, by command of Her Majesty to the House of Commons 1853, and House of Lords 1855).

My

Dear Sir Yours

My embarrassement is extreme, in the absence of any U. S. Steamer upon this station, the "Powhatan" having left some two months since, and the prospect being that the "San Jacinto" will not arrive for some two months to come. The only United States Ships now in China are the "Macedonian" and "Vandalia", not convenient for the purposes of moving from port to port, especially against the Monsoon. Had I proper means at command, I should visit the northern ports at once. I may be compelled to visit Shanghae, if I avail myself of a private conveyance, objectionable as it would be in many respects.

It is a satisfaction however to think that this cause of embarrassement is providential, and to hope that it will be but temporary, and that a remedy for the evil will be supplied with as little delay as possible

I will only add upon the subject of our naval forces in China, my increasing conviction of the importance of all the suggestions I have had the honor of submitting to the State and Navy Departments in relation thereto.

It was with surprise and regret, that

on

on my arrival at Point de Galle, I learned the fact of a controversy between Mr Keenan, our Consul at Hong Kong, and the colonial authorities, touching the "internal discipline" on board an American ship in this harbor, having been present, on a former occasion on board the U. S. Steamer "Powhatan", when the same question was discussed by His Excellency R. M. McLane, and Mr Bridges, the Acting Attorney General, and, as I supposed, an understanding reached that the subject would in future be regarded and treated in the light in which it was placed by the correspondence between Mr Webster and Lord Ashburton. I think the principles contended for by Mr Keenan, Capt McClinie, and Commodore Abbott, in the premises are incontrovertible, but it is of great importance, that by treaty, or otherwise, the question should be early settled by the two governments to whom the correspondence has been referred. It is due to His Excellency the Governor of this Colony, Sir John Bowring, to state that no one could deprecate more than he does the occurrence of the misunderstanding, or manifest a more honorable disposition to come to a right conclusion upon the subject, and on the other hand that our consul has acted in accordance with what he believed to be his manifest duty.

duty.

I have great pleasure in finding entire concurrence of views of the policy proper to be pursued by Western Governments towards China, between Sir John Bowring and myself, and the pledge of the most cordial cooperations with me by pursuing a concurrent course of action, and that too, not only in accordance with the dictates of his own judgement, but in obedience to instructions from the Earl of Clarendon by the last mail.

I am happy to learn, not only from Mr Murphy, but through letters to Sir John Bowring from Shanghai, that there is good reason to believe the Chinese are expecting and prepared to make important concessions, and are anticipating the subject of the revision of the Treaty.

With renewed expression of my high regards to the President and to Your Excellency, I have the honor to remain,

Sir,

Very Respectfully

Your obedient Servant

Peter Parker.

P. S. Enclosure C. contains the Regulations of H. E. Sir James Sterling for the convoying of Chinese trading vessels. We must do our part in the work of suppressing piracy, or we shall lose influence in proportion as others thus acquire it.

P. P.

Desp. No. 1. Encls. A.

Hong Kong 31st Dec. 1855

S. Wells Williams L.L.D

Secretary of Legation

&c &c &c

Sir.

On receipt of this note, please to address the Imperial Commissioner charged with the superintendence of Foreign Affairs at the five ports, or in the absence of such officer, the functionary charged with the duties of Governor General of the two Kwang Provinces, and inform His Excellency that, having been appointed by the President of the United States their Commissioner and Minister Plenipotentiary to China, I arrived at this place on the 31st inst, and enter upon the duties of said office aforesd, and shall embrace an early opportunity of transmitting to His Imperial Majesty the Emperor of China a Letter of Credence I bear from the President.

At your earliest convenience I wish to meet you at this place to learn from you the present position of affairs, before determining my immediate plans. Should anything occur to defer your coming, please send one of the Seals of Legation, and any public despatches requiring immediate attention. When you come, I wish you to bring all the volumes of Manuscript Archives of the Legation and also

the United States Statutes at Large.

Very Respectfully

Your obedient Servant

Signed Peter Parker

Desps. No. 1. Encls. B.

This

PUBLIC NOTIFICATION.

The undersigned, Commissioner, and Minister Plenipotentiary of the United States of America to China, in accordance with instructions of his Government, in relation to the so-called Coolie Trade, "publicly to discountenance the same on his arrival in China," issues this Public Notification to all whom it may concern:

WHEREAS, the history of the traffic in Chinese Coolies, as carried on in vessels of the United States and under other flags, during the past few years, is replete with illegalities, immoralities, and revolting and inhuman atrocities, strongly resembling those of the African Slave Trade in former years, some of them exceeding the horrors of the "Middle Passage," women and children having been bought for the purpose, and others not merely seduced under false pretences, ignorant of their destination, but some forcibly abducted and violently borne to countries unknown to them, never to return; and not only by the ancient statutes of the Chinese Empire, but by recent Proclamation, the Imperial Government has prohibited the same, threatening with death the "Brokers, hardened miscreants, who impose upon the people and seduce them to their destruction;" and

WHEREAS, the correspondence of the Imperial Government with this Legation has evinced its strong disapproval of the traffic, describing it in terms which place it upon a level with the Slave Trade itself; and—admitting the trade proper *per se*—it has been carried on in localities where *foreign trade is not permitted by any treaty, and is therefore illegal;* and the foreign name has been rendered odious by this traffic, hundreds and thousands of lives having been inhumanly sacrificed, not perhaps intentionally, but nevertheless they have been sacrificed, and, in some instances, in a manner than which nothing more revolting can be conceived, whilst others who have survived have scarcely been more fortunate; and

WHEREAS, the amicable relations of the two Governments are being jeopardized, and honorable and lawful Commerce imperilled, and even the lives of those engaged in the inhuman pursuit have been exposed to the vengeance of those whose relations or friends have been bought, kidnapped, or grossly deceived, in the progress of the Coolie Trade:

The undersigned therefore calls upon all Citizens of the United States to desist from this irregular and immoral traffic; and makes known to all whom it may concern, the high disapprobation thereof of the Government of the United States, and forewarns all who may hereafter engage therein, that they will not only forfeit the protection of their Government while so doing, in whatever consequences they may be involved, but furthermore, render themselves liable to the heavy penalties to which the traffic, if as hitherto in some instances conducted, may expose them.

This Notification respects the "Coolie Trade" in contradistinction to the voluntary emigration of Chinese adventurers: between these, there exists a wide difference.

Regulations for the business of furnishing Chinese labor to countries that may desire the same, and for affording facilities to Chinese voluntarily disposed to render such service, in providing outfit and passage, and means and freedom of return at their option, may be a subject for future Treaty stipulation or Government arrangement on the part of Western Nations and China.

The United States Consuls will be instructed to convey copies of this Notification to the proper Chinese Authorities at the Five Ports.

Given under my hand and Seal of office this 10th day of January, 1856.

PETER PARKER.

(L. S.)

Desp No 1. Enclosure C.

THE

Hongkong Government GAZETTE.

NEW SERIES. VICTORIA, SATURDAY, 5TH JANUARY, 1856. VOL. I. No. 27.

GOVERNMENT NOTIFICATION.

The Contract for publishing this *Gazette*, entered into on the 24th September, 1853, was terminated on the 30th ultimo; and notice is hereby given, that a NEW SERIES of this *Gazette* will be published hereafter, to commence from the 7th instant, under a New Contract, and that

"*THE HONGKONG GOVERNMENT GAZETTE*"

will, as before, be the only Official Organ for PROCLAMATIONS, NOTIFICATIONS, and PUBLIC PAPERS, of this Government.

By Order,
W. T. MERCER, *Colonial Secretary.*

Colonial Secretary's Office, Victoria, Hongkong, 2d July, 1855.

HONGKONG.

ANNO DECIMO NONO VICTORIÆ REGINÆ.

No. 1 of 1856.

By His Excellency SIR JOHN BOWRING, Knight, LL.D., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, Her Majesty's Plenipotentiary and Chief Superintendent of the Trade of British Subjects in China, with the Advice of the Legislative Council of Hongkong.

An Ordinance to continue in operation Ordinance No. 1 of 1855, "to enforce Neutrality during the "Contest now existing in China." Title.

[2d January, 1856.]

Whereas it is necessary for the Public Good that the Provisions of Ordinance No. 1 of 1855, entitled "An Ordinance to enforce Neutrality during the Contest now existing in China," be renewed and kept in operation beyond the First Day of January, One Thousand Eight Hundred and Fifty-Six:—

I. Be it therefore enacted and ordained by His Excellency The Governor of Hongkong, with the Advice of the Legislative Council thereof, That all Provisions contained in the said Ordinance No. 1 of 1855 shall, from and after the passing of this Ordinance, be, and are hereby re-enacted; and that the same shall be, and are hereby to continue in force until the First Day of January, One Thousand Eight Hundred and Fifty-Seven. Provisions of Ordinance No. 1 of 1855 re-enacted, and to continue in force until the 1st January, 1857.

JOHN BOWRING.

Passed the Legislative Council of Hongkong, this 2d Day of January, 1856.

L. D'ALMADA E CASTRO, *Clerk of Councils.*

GOVERNMENT NOTIFICATION.

Diplomatic Department.

As it is important that all Merchants, Shipowners, and others likely to be engaged in the conveyance of Chinese Emigrants to the Colony of Victoria, (Australia,) should be informed as to the Legislation of that Colony in reference to such Emigrants: His Excellency SIR JOHN BOWRING, Chief Superintendent of British Trade in China, has received Instructions from The Right Honorable The Earl of Clarendon to make known an Act passed by His Excellency The Governor of Victoria in Legislative Council, on the 11th June last, to the following effect.

By Order,

W. WOODGATE.

Superintendency of Trade, Victoria, Hongkong, 2d January, 1856.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

By His Excellency SIR CHARLES HOTHAM, Knight Commander of the Most Honourable Military Order of the Bath, Captain-General and Governor-in-Chief of the Colony of Victoria, and Vice-Admiral of the same, &c., &c., &c.

No. XXXIX.

An Act to make provision for certain Immigrants.

[Assented to 12th June, 1855.]

Be it enacted by His Excellency the Governor of Victoria by and with the advice and consent of the Legislative Council thereof as follows— Preamble.

I. In the interpretation and for the purposes of the provisions of this Act the following words shall unless inconsistent with or repugnant to the context have the respective meanings hereby assigned them that is to say— Interpretation Clause.

The word "Master" shall be held to apply to any person in command of any vessel.

The word "Ship" shall mean any sea going vessel of any kind or description.

The word "Tonnage" shall signify tonnage according to the registry of the ship if British or according to the measurement fixed by the Merchant Shipping Act 1854 if the ship be not British.

And the word "Immigrant" shall mean any male adult native of China or its dependencies or of any islands in the Chinese Seas or any person born of Chinese parents.

Passenger List to state whether Immigrants as defined by this Act are aboard or not.

II. The master of every ship upon arrival at any port in Victoria having passengers on board shall distinctly specify and state in the list required by an Act of the Lieutenant Governor and Legislative Council of Victoria passed in this present session intituled "*An Act to regulate the conveyance of Passengers to Victoria*" to be delivered to the Collector or other Chief Officer of Customs at the port of arrival whether any and which of such passengers are Immigrants within the meaning of this Act.

Number of immigrants ships may carry.

III. If any ship shall arrive in any port in Victoria having on board a greater number of passengers including the master and crew and cabin passengers than in the proportion of one person to every ten tons of the tonnage of such ship and any of such passengers shall be Immigrants the owner charterer or master of such ship shall be liable on conviction to a penalty not exceeding ten pounds for each passenger so carried in excess or improperly.

Rate to be paid for Immigrants.

IV. On arrival in any port of Victoria of any ship having any Immigrants on board before making entry the master shall pay to the Collector or other proper Officer of Customs a rate of ten pounds for every such Immigrant arrived in such ship and no entry shall be deemed to have been legally made or to have any legal effect whatever until such payment shall have been made and if any master neglect so to specify and state in any such list as aforesaid or to pay such rate within the time aforesaid or shall land or permit any such Immigrant to land at any place in Victoria with the intent of evading the payment of any such rate he shall on conviction be liable to a penalty not exceeding twenty pounds for each Immigrant in addition to the amount of such rate.

Fund to be formed.

V. All monies levied and received by the Collector or other officer of Customs under the authority of this Act shall be paid to such persons and shall be invested in such manner as may be directed by the Governor with the advice of the Executive Council and the interest and dividends thereof or so much of the same as shall not be required for the purposes hereinafter mentioned shall be invested in like manner so as to accumulate and such monies interest dividends and accumulations shall form a fund and the said fund shall from time to time be applied as occasion may require by such officers and under such rules as the Governor with the advice aforesaid may from time to time appoint for and towards the expense of the relief support and maintenance of any such Immigrants and an account of the receipts and expenditure of such monies in each year shall be laid before the Legislative Council within fifteen days after the commencement of the next ensuing Session thereof.

Governor may make Rules and Regulations.

VI. It shall be lawful for the Governor with the advice aforesaid to make such rules and regulations as may be deemed necessary for the registration of such Immigrants on their arrival at the district or place to which they may proceed the period for which such registry is to last and the mode place and time of its renewal for the adjustment of disputes between such Immigrants and generally for the management and good government of such Immigrants and any such rules and regulations to alter vary or annul and substitute others as occasion may require.

Governor may appoint officers.

VII. It shall be lawful for the Governor to nominate and appoint such officers as may be necessary to carry out the provisions of this Act and such officers to remove and appoint others in their place as to such Governor may seem desirable.

Annual sum may be levied from Immigrants.

VIII. It shall be lawful for the Governor with the advice aforesaid to cause to be levied and collected in such manner by such instalments and within such time as may be deemed expedient such a sum from each Immigrant as may be necessary for the payment of the officers or persons employed in carrying the provisions of this Act into execution provided that no such sum shall exceed in the aggregate twenty shillings to be paid by any one Immigrant during a period of twelve months.

Penalty for non-payment.

IX. If any such Immigrant shall fail to pay at the time and place which may be fixed in that behalf the sum from time to time to be paid by such Immigrant as aforesaid or shall be guilty of any breach or infringement of any such rule or regulation as aforesaid every such Immigrant shall on conviction forfeit and pay a penalty not exceeding five pounds or at the discretion of the convicting justices be subjected to imprisonment for any period not exceeding two months.

Rules and regulations to be laid before Legislative Council.

X. All rules and regulations made under the authority of this Act shall be laid before the Legislative Council within fourteen days after the same shall come into operation if the Legislative Council be then sitting and if not sitting then within fourteen days after the commencement of its next Session.

Summary proceedings.

XI. All proceedings under this Act shall be had and taken in a summary way and in proceeding for any penalty rate duty or forfeiture under this Act it shall not be necessary to lay or file any formal information and no complaint conviction or other proceeding under this Act shall be quashed or set aside or deemed void or insufficient for want of form only or be removed or removable by *certiorari* or any other writ or process whatsoever into the Supreme Court.

No *certiorari*. Appropriation.

XII. All sums of money fines and penalties not herein before specially appropriated shall be paid to Her Majesty Her Heirs and Successors for the public uses of Victoria and in support of the Government thereof.

What sufficient proof of being an Immigrant.

XIII. In any proceeding under this Act evidence that any person arrived in Victoria from China or its dependencies or any of the Islands in the Chinese Seas or resided or dwelt with any such person shall be sufficient proof unless the contrary be shewn that any such person is an Immigrant within the meaning of this Act.

Commencement of Act.

XIV. All the clauses of this Act except the third and fourth clauses thereof shall come into operation immediately on the passing thereof and the said third and fourth clauses shall come into operation from and after the first day of November which will be in the year of Our Lord One thousand eight hundred and fifty-five.

In pursuance of authority given to me by the Legislative Council, I hereby certify that the above print is the Bill to which the Legislative Council of Victoria has agreed, and that the same passed the Legislative Council on the eleventh day of June, One thousand eight hundred and fifty-five.

J. F. PALMER,
Speaker.

CHAS. RIDGWAY,
Clerk Assistant, Legislative Council.

In the Name and on behalf of Her Majesty, I assent to this Act,

CHAS. HOTHAM,
Governor.

Government Offices, Melbourne, 12th June, 1855.
True Copy,
W. WOODGATE.

GOVERNMENT NOTIFICATION.

Diplomatic Department.

His Excellency SIR JOHN BOWRING, Chief Superintendent of British Trade in China, &c., &c., has received from His Excellency The Naval Commander-in-Chief the following "Public Notice" of the arrangements which H. E. has made for the Protection of Commerce, by affording Convoys at stated periods for Vessels trading on the Coast of China; and Sir John Bowring has great satisfaction in publishing these Arrangements for the information of those concerned. Her Majesty's Consuls will be instructed to give timely notice of the same in their various jurisdictions.

By Order,
W. WOODGATE.

Superintendency of Trade, Hongkong,
2d January, 1856.

PUBLIC NOTICE.

Whereas the severe but necessary checks which have been inflicted on Piracy within the last Twelve Months, at Kulan, Tyho, Namoa, Leotung, Pinghae, Sheippoo, and other parts of the Coast, have not been found sufficient to put an end to the abominable outrages which have so long impeded the free course of Trade between the Ports open to Foreign Commerce, the following arrangements have been resolved on, and notice of the same is hereby given for Public Information.

On the 1st day of each succeeding month in the North-East Monsoon, that is, from the 1st of November to the 1st of April inclusive, one of Her Majesty's Ships will leave Woosung and proceed successively off the entrances to Ningpo, Foo-chow, Amoy, Hongkong, and Whampoa; and on the 1st day of each succeeding month in the South-West Monsoon, that is, from the 1st day of April to the 1st day of October inclusive, one of Her Majesty's Ships will leave Whampoa, and proceed successively off the entrances to Hongkong, Amoy, Foo-chow, Ningpo, and Woosung.

These Ships-of-war will have orders to take under Convoy all Vessels of every Nation, who may see fit to avail themselves of the occasion thus afforded to pass in safety from Port to Port; and positive Orders will be given that the Ships-of-war shall not permit any sort of Piratical interference whatsoever with the Vessels under their Protection.

And whereas Piratical Bands have heretofore been in the habit of assembling at certain Places off the Coast for the purpose of committing depredations on the Coasting Trade between the Ports aforesaid: Notice is hereby given, that Ships-of-war will be employed in passing from time to time along the Coast, for the express object of searching for persons engaged in that highly Criminal Occupation, and will seize every armed Vessel suspected of being so engaged, and will deliver them over, together with their Crews, to the proper Tribunals appointed for the Trial and Punishment of such offences.

Given under my Hand on board the *Pique* at Hongkong, this 1st day of January, 1856.

Js. STIRLING,
Rear Admiral, and Commander-in-Chief.

True Copy,
W. WOODGATE.

大英欽命提督水師軍門司 爲

曉諭事照得海盜在於五港往來洋面肆行刼掠擾阻良商貿易不能流通已非一日雖經本軍門上年再三派調師船在高蘭大河平海石浦南澳遼東等處痛加殲剿尙未足實收全効亟應另行設法辦理爲此出示曉諭俾各色人等一體知悉現擬每年冬春兩季即英十一月初一日起至四月初一日止每月朔日由江省吳淞派出師船一隻南駛沿經寧波福州厦門香港黃埔各處其夏秋兩季即英四月初一日起至十一月初一日止每月朔日由粵省黃埔一律派出師船一隻北駛沿經香港厦門福州寧波吳淞各口飭令該師船凡有途遇無論何國商船往來各港討請護送即應如所請妥爲保護不准海匪綠毫擾害復查沿海荒渺處所向有盜匪潛踞聚匿擾害往來商舟又擬嗣後陸續特派師船到各海島巡專爲查緝盜蹤嚴行剿洗凡有挾匿軍械形跡可疑者亦必將其人船捉獲均交該管衙門從重懲辦以期肅清各宜知悉毋違

特示

乙卯 十一 廿四
一千八百五十六 年 月
正初一 日

True Copy.

W. H. MEDHURST.

No. 2.

GOVERNMENT NOTIFICATION.

NICOLAUS DUUS, Esquire, having been duly appointed Consul in this Colony for the King of Sweden and Norway, and Her Majesty The Queen having been pleased to approve the appointment, the same is hereby notified for general information.

By Order, W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria,
Hongkong, 2d January, 1856.

No. 3.

GOVERNMENT NOTIFICATION.

It is hereby notified, that in consequence of the continued indisposition of the Honorable The Chief Justice, His Excellency The Governor has, under his hand and Seal of the Colony, and in accordance with Clause V. of Ordinance No. 6 of 1845, appointed JOHN DAY, Esquire, Barrister-at-Law, to sit in the place of the said Chief Justice, and hear and determine such Suits as may be brought before him under the Summary Jurisdiction of the Supreme Court, on Friday next, the 4th instant, and following days, until all such Cases shall be by him adjudicated and determined.

By Order, W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria,
Hongkong, 2d January, 1856.

No. 4.

GOVERNMENT NOTIFICATION.

It is hereby notified, that Her Most Gracious Majesty has been pleased to approve and confirm the appointment of the Honorable Lieut.-Colonel H. H. GRAHAM, Commanding the Forces, to a seat in the Executive Council of this Colony.

By Order, W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria,
Hongkong, 2d January, 1856.

GOVERNMENT NOTIFICATION.

It is hereby notified, that the Rents due for the current Half-year are payable on and after the 25th instant.

By Order,
R. RIENAECKER,
Colonial Treasurer.

Colonial Treasury, Victoria, Hongkong,
18th December, 1855.

No. 1.

GOVERNMENT NOTIFICATION.

The following List of Persons licensed, under Ordinance No. 6 of 1852, to keep Boarding Houses for Seamen, is published for general information.

By Order,
W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 2d January, 1856.

LICENSED BOARDING HOUSES FOR THE YEAR 1856.

No.	Name.	No. of Seamen.	Period. From	Period. To	Date on which Licence was granted.	Locality of Houses.
1	W. V. Sage	50	1 December, 1855,	30 November, 1856	1st December, 1855.	Queen's Road
2	R. Suicar	30	"	"	6th "	" (West.)
3	Jas. Mitchell	30	"	"	11th "	"
4	Jno: Richi	27	"	"	1st "	"
5	V. Flores	30	"	"	" "	Lascar Row
6	S. Moosdeen	60	"	"	" "	"
7	Awang	50	"	"	" "	"
8	Esmail	40	"	"	" "	"
9	M. Chavez	30	"	"	" "	"
10	R. Terribio	25	"	"	" "	"
11	C. Lopez	20	"	"	" "	"
12	V. Ribera	25	"	"	" "	Hollywood Road
13	E. Alli	60	"	"	" "	Lascar Row
14	M. Arab	60	"	"	" "	"
15	C. Frank	35	"	"	4th "	Queen's Road
16	M. Flores	20	"	"	" "	Lascar Row

No. 5.

GOVERNMENT NOTIFICATION.

Whereas on the night of the 1st instant, a Gang of Burglars made an attack on the house of one CHUN ATING, Silversmith, residing on the East side of the Village of Sookunpoo, and succeeded not only in carrying off valuable Property but in wounding two and murdering one of the Watchmen in the employ of Messrs Jardine Matheson and Company:

It is hereby notified, that

A REWARD OF FIFTY DOLLARS

will be paid to any person or persons giving such information to the Superintendent of Police as shall lead to the discovery and apprehension of any one or more of the said Gang.

By Order, W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria,
Hongkong, 3d January, 1856.

POST-OFFICE NOTIFICATION.

THE following Instructions having been received from His Lordship THE POST-MASTER GENERAL, are hereby published for general information, viz:—

On and from the 1st January, 1856, the Packet Rate of Postage upon Letters transmitted by British Packet BETWEEN HONGKONG and any Port in INDIA, or a Port in any other BRITISH COLONY, without passing through the United Kingdom, will be reduced from One Shilling to *Four Pence the Half Ounce.*

The reduced rate of Four Pence will apply not only to Letters between Hongkong and the several British Possessions in the East Indies, but also to Letters between HONGKONG and the Colonies of MALTA, GIBRALTAR, and the IONIAN ISLANDS.

A like reduction from One Shilling to Four Pence will at the same date take effect in the rate of Postage upon Letters conveyed by British Packet between HONGKONG and ANY FOREIGN PORT, *with the exception of a Port in Egypt.*

Letters sent from HONGKONG to any FOREIGN COUNTRY *viâ Egypt*, will continue liable to the existing charge.

WM. CHAPMAN,
Acting Post-master.

Post-office, Hongkong,
2d January, 1856.

POST-OFFICE NOTIFICATION.

THE next GENERAL MAILS per "*Madras*," will be closed on *MONDAY, the 14th January*, at 5 P.M.; and the Customary SUPPLEMENTARY MAIL will be made up the following Morning between the hours of 9 and 10 o'clock.

WM. CHAPMAN,
Acting Post-master.

Post-Office, Hongkong,
2d January, 1856.

IN THE VICE-ADMIRALTY COURT OF HONGKONG.

R. S. Walker, and others v. *Cargo ex "Universe."*

BY Virtue of a Decree of the Court, the MARSHAL'S AUCTIONEER will sell by PUBLIC AUCTION, at the VICTORIA EXCHANGE, Queen's Road, at 11 o'clock A.M. precisely, on *TUESDAY, the 8th January*, 1856,—

The residue of the Cargo, comprising,—EDIBLE BIRDS'-NESTS, IVORY, JADE-STONE ORNAMENTS, a variety of CHINESE LAMPS, PAPER, BUTTONS, TINFOIL, CHINESE CLOTHING, a quantity of GINSING, and SPLIT RATTANS.

CATALOGUES, containing full particulars and Conditions of Sale, may be had on application at the Victoria Exchange.

G. DUDDELL.

Hongkong, 4th January, 1856.

NOTICE.

A Copy of the JURY LIST FOR 1856, is posted up at the COURT HOUSE for inspection. Notice of any Inaccuracies, &c., must be given IN WRITING to the Acting Registrar, *on or before the 19th day of January instant*, in accordance with the provisions of Section 3 of Ordinance No. 4 of 1851.

WILLIAM HASTINGS ALEXANDER,
Acting Registrar.

Court House, 2d January, 1856.

IN THE VICE-ADMIRALTY COURT OF HONGKONG.

The Queen v. *a Marine Screw Steam Engine, &c.*

BY Virtue of a Decree of the Court, the MARSHAL'S AUCTIONEER will sell by PUBLIC AUCTION, on *FRIDAY, the 19th January*, 1856, at 11 o'clock A.M. precisely, at the VICTORIA EXCHANGE, Queen's Road,—

One COPPER TANK, one WINCH, and the said MARINE SCREW STEAM ENGINE.

Note.—The Engine is upwards of THIRTY HORSE-POWER, and is now on View at the VICTORIA EXCHANGE. Some of its parts are missing.

The Lots are to be paid for in MEXICAN Dollars on Delivery.

G. DUDDELL.

Hongkong, 5th January, 1856.

Steam for
SINGAPORE, PENANG, POINT DE GALLE, ADEN, SUEZ, MALTA, MARSEILLES, & SOUTHAMPTON;
Also,
BOMBAY, MADRAS, & CALCUTTA.

THE PENINSULAR & ORIENTAL STEAM NAVIGATION COMPANY'S Steam-ship "*MADRAS*," Captain DIXON, with *Her Majesty's Mails, Passengers, Specie*, and *Cargo* for the above Places, will leave this on *TUESDAY, the 15th January next*, at 2 P.M.

CARGO will be received on board until 5 P.M. on the 13th, SPECIE until Noon on the 14th, and PARCELS until 2 P.M. on the 14th.

For Particulars regarding FREIGHT and PASSAGE, apply at the Peninsular & Oriental Steam Navigation Company's Office, Hongkong.

CONTENTS, AND VALUE OF PACKAGES, ARE REQUIRED.

A Written Declaration of the Contents and Value of the Packages for the Overland Route is required by the Egyptian Government, and must be delivered by the Shipper to the Company's Agents with the Bills of Lading or with Parcels; and the Company do not hold themselves responsible for any Detention or Prejudice which may happen from incorrectness in such declaration.

ROB. S. WALKER,
Superintendent.

Peninsular & Oriental
Steam Navigation Company's Office,
Hongkong, 31st December, 1855.

NOTICE.

MR CHARLES GUYE is authorized to sign our Firm in CHINA per Procuration.

DIMIER BROTHERS & Co.

Canton, 1st January, 1856.

NOTICE.

MR R. P. DE SILVER is this day admitted a Partner in our Firm, and will take charge of the NEW YORK Branch Establishment.

DE SILVER & Co.

Hongkong, 1st January, 1856.

Mr JAMES BROWN,
Notary Public,
MESSRS GASKELL & BROWN,
Solicitors, Notaries Public, &c.,
Queen's Road, Victoria.

RELIANCE MARINE INSURANCE OFFICE.

ESTABLISHED IN CALCUTTA, IN 1842.
CAPITAL, Co.'s R6,00,000.
DIVIDED INTO SIXTY SHARES OF COMPANY'S R10,000 EACH.
Registered under ACT XLIII of 1850.

COMPANY'S RUPEES 173,000 INVESTED IN THE FOUR & FIVE PER CENT LOANS, IN THE NAME OF THE DIRECTORS.

MESSRS APCAR & Co., *Secretaries in Calcutta.*

Agents.

Messrs T. A. GIBB & Co., *St Helen's Place, London.*
" STEPHEN JOAQUIM, *Singapore*,
" JORDAN & Co., *Rangoon.*
T. R. RICHMOND, Esq., *Bombay.*
A. A. ANTHONY, Esq., *Penang.*

POLICIES on GOODS, FREIGHT, and TREASURE, granted by the undersigned to *all parts of the World.*

Y. J. MURROW.
Agent in China.

NOTICE.

NORTHERN ASSURANCE COMPANY.
(Established 1836.)
Incorporated by Act of Parliament,
FOR FIRE AND LIFE ASSURANCE AT HOME AND ABROAD.
CAPITAL £1,259,760 STERLING.

THE undersigned have been appointed AGENTS at *Hongkong, Canton*, and *Shanghae.*

TURNER & Co.

Medical Advisers.

For Hongkong,—W. A. HARLAND, M.D.
For Canton,—WALT. GEO. DICKSON, M.D.

Hongkong, 9th August, 1855.

SMITH & BRIMELOW,
SHIP CHANDLERS,
Wholesale and Retail Wine and Spirit Merchants, Auctioneers, and Commission Agents,
Nos. 1 & 2 Wosnam's Buildings,

HAVE always on hand an Assortment of SHIP CHANDLERY STORES of every kind.

Also,

An extensive and well-selected supply of WINES, BEER, and SPIRITS, LIQUEURS, CORDIALS, &c., of a superior description.

OILMAN'S STORES from the well known house of *Copland, Barnes & Co.*; also, STORES per Overland Mail Steamers *Monthly* for domestic purposes.

Hongkong, 7th July, 1855.

CARD.

CHARLES MARKWICK,
Government and Supreme Court Auctioneer and Appraiser,
and
GENERAL STOREKEEPER,
Queen's Road, Victoria, Hongkong.

Established 1843.

Printed at the Office of the *China Mail*, Hongkong.—PRICE, $12 per *Annum*. Single Copies, *Fifty Cents*. TERMS OF ADVERTISEMENTS,—Five Lines and under, *One Dollar*; each additional Line, *Twenty Cents*—*One-half* of these charges for each Repetition.

V Rec'd 21. March. Mr Dennick.

No 2. Legation of the United States
Hong Kong 14th Jany 1856.

Hon: W. L. Marcy
Secretary of State
Sir.

I have reserved for a separate despatch what I have to communicate in relation to Shanghai. R. C. Murphy Esq. our Consul at that port, has arrived here, en route, by overland mail, for the United States.

I have had several very frank and friendly conferences with him in relation to the duty question, and his official duties at Shanghai generally. As he will so soon be in Washington, many particulars I shall leave for you to learn from him in person. It is much to be deprecated that he feels himself necessitated to leave the country at this juncture, but he holds out encouragement of his early return.

Our interviews have been very satisfactory, and he seems to have been conscientious in the course he has pursued, and to have striven to discharge his various duties faithfully; and, so far as I can judge, has produced a favorable impression upon the Chinese mind in favor of himself and his government; and, notwithstanding

our

our past relations, arising from diversity of views of public matters, I shall be delighted, so far as I now know, by his early return. I can but commend to the favorable consideration of the State Department his reasonable application for an adequate support, and the requisite means for the efficient discharge of his official duties. It is really a hard case, if, as he informs me, at the expiration of three years from the United States, he will have, after paying his unavoidable expenses, but four or five hundred dollars remaining to his credit.

Mr Murphy states that the Chinese Authorities have demanded the award in the duty question, which they are now ready to accept, and, for the purpose of carrying out your instructions to him in this matter, and for other important considerations, I have strongly urged upon him the necessity for his deferring his departure, but the obstacles in the way of so doing are to his mind insuperable. He has therefore agreed to write Dr Tisle, whom he has appointed his Vice Consul, to act in his stead. It seems that when the city of Shanghae was about being bombarded by the French, he became anxious for the safety of the money,

money, and therefore invested it in Sterling Bills of the "Oriental Bank Corporation", and "Merchants Bank of India"; that these bills are now in the United States Consulate Shanghai, the first of Exchange not having yet been sent forward for acceptance, subject to the call of the seconds and thirds, as should have been done. From the terms of the award, certain duty receipts specified were to be deducted from the sum awarded; but receipts, to the amount of 8000 Taels, have been presented by one house, concerning the propriety of the admittance of which in payment, the merchants and consul differ in opinion. The Vice Consul will therefore be instructed by Mr Murphy to settle with the Chinese so far as the money is collected, and the receipts accepted, taking receipt for the amount thus paid, and to defer the questionable receipts for future consideration. As the motive for accepting the award, as stated by a Chinese official, is the bearing of the principle of some payment by the American merchants, on the adjustment of the claims upon the British merchants, the aggregate of the latter being far greater than the sum due from those of the

United

United States, Mr Murphy is of opinion that the Chinese Authorities will be accommodating in the settlement. Prior to the action of the Vice Consul, I shall address His Excellency, Governor Keih, explaining the honorable course pursued throughout by the United States Government in this matter, and hope, at no distant day, to be able to report a satisfactory disposal of the long pending and complicated subject.

I have the honor to be,

Sir,

Very Respectfully

Your Obedient Servant

Peter Parker

Rec'd 24 May Mr Dennick

No 3 Legation of the United States
Macao 25th Jany 1856

Hon. W. L. Marcy
Secretary of State

Sir

Permit me to lay before the State Department the position in which I find the subject of foreign inspectors in the Chinese Custom House at the port of Shanghai, and the action I find expedient to adopt in relation thereto.

In our conference upon the subject when in Washington, you expressed the opinion that the Chinese have a perfect right to employ in the service of the Customs Department whom they please, irrespective of nationalities, but that it is no part of the duty of foreign governments, under treaty obligations, to furnish Inspectors; and it was my conviction that so far as I am concerned, it would be incumbent on me so to treat the subject. Put on investigation, I find that, under the directions and with the approval of the Chief Representatives of England France, and the United States, the Consuls of said three powers in conjunction with the local Chinese authority in 1854 deliberated upon and settled a plan for providing these inspectors, and have agreed that either of the foreign Powers may carry out the measure, so far as respects itself, though it be abandoned by the others (Vide His Excellency

R.

R. M. McLane's despatch No 8. 27th July 1854. Exhibit B). I learn, on my arrival in China that this system of Foreign Inspectors has become unexpected by a source of great moral and political influence over the Chinese, beneficial to China, and favorable to the countries they represent, and not detrimental to commercial interests.

I am also informed, by His Excellency Sir John Bowring, Her British Majesty's Plenipotentiary, that he has received a strong representation from the British Merchants (with but few exceptions) at Shanghai, setting forth the beneficial influence of the measure, and requesting its continuance; that the question of the legality of the step has been referred to lawyers of the Crown, and they have ruled its strict legality; and that the British Government is resolved not to abandon it. Thus a new aspect of the subject is presented, and I have acted in view of it, as will appear from the accompanying my Exhibits A & B.

Respectfully commending the whole subject to your approval, or otherwise, as you in your wisdom shall determine. I have the honor to remain, Sir

Very Respectfully
Your most obedient Servant
Peter Parker

Exhibit A. Dethe No. 3.

Legation of the United States
Macao 25th January 1856

M. W. Fish Esq
United States Vice Consul
Shanghae

Sir

This will be handed you by David Olyphant Vail Esq. my Private Secretary, who proceeds to Shanghae by the P. O. Steamer "Erin" to take the office of Inspector in the Custom House at Shanghae, rendered vacant by the absence of Capt Carr, who, as he informed me in London, probably will not return.

On the arrival of Mr Vail, you will immediately inform the Taoutae, or whoever may be the Chief Superintendent of Chinese Customs at that port, that Mr Vail is the appointee on the part of the American interest in the arrangement formally entered into by the Consuls of England, France, and the United States, under the direction, and with the concurrence and approval of their respective Ministers Plenipotentiary, in 1854, and that he is ready to take the prescribed oath, and to enter at once upon the discharge of his duties as one of the three Inspectors of Customs.

Mr Vail, you may inform the Chinese authorities, has sustained to this Legation a relation similar to that formerly held by Capt Carr, and possesses in

in a high degree its confidence as a man of talent, great urbanity of manner, and, above all, he is animated by a spirit of impartiality and justice, that no one, of whatever nation, interested in his acts in the office he is about to assume, will ever be able to impeach.

Very Respectfully

Your obedient Servant

Peter Parker

Exhibit B. Dep. No. 3.

Unofficial

United States Legation
Macao, 25th January 1856

My dear Sir.

I have not the pleasure of your personal acquaintance, but from the representations of those who have, I am disposed to think our intercourse, personal and official, will be mutually agreeable. Having addressed you officially in relation to the "Foreign Element" in the Custom House at Shanghai, I wish to write you more familiarly and freely in respect to the gentleman appointed to that office. Mr Vail is a grandson of the late D. W. C. Olyphant, a name will long remain favorably associated with China by all who knew him; a better friend the Chinese never possessed in any foreigner, and I have great confidence that the grandson will emulate the virtues of his worthy grandsire. Mr Vail is a gentleman of singular purity of character, of good business talents, pleasing in his manners, a general favorite with all who know him, and I doubt if one could be selected better qualified to give satisfaction to all interested in his official acts.

I am misinformed how the office per se, and irrespective of whomsoever may be its incumbent, is generally regarded by our countrymen in Shanghai. Those who have expressed to me their views, have done so favorably to the measure, provided it be carried out by

by a man of uprightness, and impartial, both as res-
= pects the Chinese and foreigners; aiming steadily at fa-
= cilitating the business of the Custom House; rigid-
= ly adhering to the Treaty; not allowing unnecessary
difficulties to be raised by either Chinese officials or
foreign merchants.

Admitting that any of our countrymen prefer
that the arrangements of 1854 had never existed, as they
have been adopted, and as they so provide that any
one of the three nations parties to them has the right to
adhere to them, although they should be abandoned by the
others; and, inasmuch as it is the determination of the
British Government - as I am informed on authority - to
adhere to them, though alone in the matter, I deem it in-
= dispensable to American interests that we should do the
same. We must be represented, and I have great con-
= fidence that it will be ably, honestly, and satisfactori-
= ly done by the person now appointed to the difficult
and arduous post. You are at liberty, at your discretion,
to acquaint our countrymen with the above views

I have the honor to be Dear Sir

Your obedient Servant

Peter Parker

Rec'd 26. April. Mr Derrick

No 4. Legation of the United States.
Macao 12th February 1856.

His Excellency
Honorable W. L. Marcy
Secretary of State.
Washington.

Sir,

I have the honor to transmit the Department, my correspondence relative to our affairs at Canton, Amoy, Fuh-Chow, and Shanghai &c (Vide Enclosures A. B. C. D. E. & F.).

The views and actions I have adopted are set forth, perhaps, with sufficient distinctness, in my notes to the several Consuls, at Amoy, Fuh-chow, and Shanghai, as respects the state of affairs at their respective ports, and do not require repitition.

The communication from His Excellency Yeü - Imperial Commissioner, of the 30th ultimo, is courteous and friendly. His Excellency favorably alludes to my long residence in the South of China, and entertains the opinion that the affairs of Commerce at the Five Ports, will

Certainly

certainly be properly and well managed. He also speaks approvingly of my Notification relative to the Coolie Trade, which has become a subject of grave concern in China. His Excellency also adverts to our former official interviews as a reason for dispensing with the ceremony, now rendered inconvenient by the pressing affairs of the Army and Commissariat, but expresses his readiness to receive the Presidents Letter (of Credence) and to transmit it to the Imperial Court.

It is the same pretext which has been uniformly set forth by His Excellency when declining personal interviews with the Ambassadors of different foreign nations, and under existing circumstances, particularly the early Revision of the Treaty, I do not deem it expedient to come to an issue upon this point as I otherwise might.

On the return of the "Vandalia" from Manila, now daily expected, I purpose visiting Canton in her, when I shall deliver over the Letter of Credence,

and

and while willing to dispense with a personal interview with His Excellency, so far as ceremony is concerned, shall Exercise my judgment on my arrival at the Provincial city, as to the propriety of urging a meeting, to attend to important matters of business, between the two governments, and their citizens and subjects, particularly the case of the Chilian Bark "Caldera", and the special grievances as complained of by our Consuls at Amoy and Fuh-Chow. The result of which I shall report by the earliest opportunity.

I respectfully invite your attention to the accompanying documents (Enclosure C.) regarding the Coolie Trade, and with your permission will suggest the propriety of the two translations emanating from the Chinese at Amoy and Canton, being handed to one of the Washington Papers for publication, as it is desirable the public should understand the form the Slave-trade has assumed in the nineteenth century!

The Statistics of the Coolie Trade for 1855

1855 at Swatow, an illegal port. Even for legal trade, is as follows.

	Ships.	Tonnage	Coolies
American	5.	6592	3058
British.	3	3821	1938
Chilian	1.	500.	250
Peruvian	3.	1860	1150.
Total	12.	12773.	6388.

End

The Repot on the Havana Coolie Trade has been furnished by Governor Bowring and is to be regarded as confidential. It will repay perusal. The number of Coolies imported in eight years is 7711. at an estimated profit of $747.967. You will notice the apprehension the Spanish government is under on account of the influence of these Coolies.

Begin From an official source, I learn that the number of males imported as coolies from Calcutta and Madras, from 1845 to 1852. into British Guiana and Trinidad was 17.000. It is not surprising the British Government has taken this subject, and that Parliament has legislated upon it. (Vide Enclosure E. Gait Gazette. Act of Parliament 14 August 1855). This act

Confiscates

confiscates, not only British, but ships not being British, if found without the prescribed papers, and in British dominions.

I am apprehensive that something more than leaving United States Merchant vessels to their fate, if engaged in this inhuman traffic, will be necessary, and I respectfully suggest the necessity of Specific Instructions emanating from the Navy Department to our Men-of-War on this station, authorizing them to prevent resort to illegal ports, and to examine such vessels as do, and ascertain that they do not offend against law, and to make them accountable if they do. End

The United States Ship "Macedonian" Captain John Pope sailed for Singapore and the United States on the 1st instant, and in the absence of the "Vandalia", there is not a United States vessel of war in the China waters.

I respectfully and earnestly entreat the Department that coming negotiations may not be rendered futile for want of

the

the prestige which the presence presence of a proper naval force is certain to afford.

I learn (unofficially as yet) from Sir John Bowring that His Excellency Count Halaski has communicated with the Earl of Clarendon upon the subject of my interview with their Excellencies, when in London and Paris, and all appear progressing favorably.

Sir John Bowring has instructions to go to Japan, and in a confidential note he writes me, "As to Japan I wish if the combine Fleets go to the Gulf of Pichili that they may have instructions to proceed to Jeddo in company, with the view to making a proper Treaty. The French have a tabula rasa before them, and between us, we could not fail. We ought also to open Corea. There are grand schemes but we can carry them if supported".

Sir James Stirling informs me on authority upon which His Excellency can rely that the Coreans are not unlikely to listen to our proposals, and that the country is rich in minerals, and possesses the sources of a valuable trade, and what is essential, the people are friendly.

The

The President once intimated that he might entrust me with the same powers as were confided to His Excellency R. M. McLane. He had blank full powers, and authority to negotiate with various countries of South Eastern Asia, and if it should please the President to extend the jurisdiction of the Commissioner to China, also over Japan, Loochoo, Corea, Manila, Cochin China and Siam, it may result in his being able to take advantage of the movements of other Western Powers, and of seizing upon favorable opportunities unexpectedly, it may be, offering to extend our Commercial intercourse in the East.

Purely from regard to the public interests do I venture, respectfully to solicit the attention of the Executive to the subject, and shall cheerfully abide its pleasure.

With sentiments of esteem and distinguished considerations, I have the honor to remain, Sir,

Your Excellency's
Most Obedient Servant
Peter Parker

Despatch No 4.

Enclosure A.

To His Excellency

Yeh, Governor-general of the two Kwáng provinces,

&c &c

Sir,

I have the honor to inform you that having been appointed by my government to come to China to act as Chief Commissioner upon all affairs relating to commerce at the five ports, and possessed of plenipotentiary powers to manage all affairs between the two countries, I have arrived in China and entered upon the duties of my office.

I herewith respectfully wish Your Excellency every happiness.

(Signed) Peter Parker

Commissioner of the United States to China

January 5. 1856

Hong Kong, 12th Jany 1856

S. Wells Williams L.L.D.

Secretary of Legation &c &c &c

Sir.

It is with extreme regret I learn from your note, and its enclosures, of yesterday, that you have misapprehended your instructions of the 31st ult, that instead of addressing the Imperial Commissioner as Secretary of Legation, without a precedent to my knowledge, you have done it in the name of the functionary to be announced, and omitted to state the essential fact of his having a letter of credence from the President to the Emperor. The mode of transmitting that letter was intentionally reserved for a future occasion when I should address His Excellency Yé myself. However, the misstep has been taken, and much as it is to be deprecated, cannot now be retraced. I advert to it, in order that like mistakes may be avoided in future. I am sure it must have been unintentional, and attributable to your misapprehension of the precedents and usage in like cases.

Very Respectfully

Your obedient servant

(Peter Parker)

No 37

Legation of the United States
14th January 1856.

Sir

The Undersigned, Commissioner, and Minister Plenipotentiary of the United States to China, has had the honor on a former occasion, through S. W. Williams Esq. Secretary of Legation, of informing Your Excellency that, having been appointed by the President of the United States their Commissioner with Plenipotentiary powers &c. he had arrived in the South of China and entered upon the discharge of his public duties &c.

It was omitted, in that communication to inform Your Excellency that the undersigned bears a Letter of Credence from the President to His Majesty the Emperor. He therefore takes this opportunity to state that he contemplates visiting the Provincial city sometime prior to proceeding to the North, when he will deliver to Your Excellency the said Letter of Credence, to be transmitted as provided by the 31st article of Treaty, and will be most happy to have an official interview for the exchange of friendly sentiments, and to express the feelings of cordial goodwill entertained by the President of the United States towards His Majesty the Emperor of China, and his best wishes for his prosperity and long life, and the perpetuity of the Ta Tsing Empire.

In the mean time, the undersigned begs to enclose to Your Excellency a translation of a Public Notification, which will evince the high disapproval of the Government

- ment of the United States of the manner in which Chinese laborers have hitherto been carried to various countries, which he doubts not will meet Your Excellency's approval.

The undersigned has heard with much satisfaction of the success of Your Excellency's efforts to suppress disturbances and to restore order and tranquillity, and the consequent resumption of trade in the South of China.

With sentiments of esteem and high consideration

Your Excellency's

Obedient Servant

Peter Parker.

To

His Excellency &c.

Imperial High Commissioner

&c &c &c.

(L.S)

Yeh, high minister of the Ta-Tsing Empire, junior guardian of the heir-apparent, assistant cabinet minister, president of the Board of War, Governor-General of the two Kwang provinces, and a hereditary baron of the Empire, hereby replies on business.

On the 26th instant I received your communication and the proclamation, both which I have examined, as also the communication sent before. It is a matter of satisfaction that you, the Honorable Commissioner have returned to Canton to oversee the mercantile affairs of the Five Ports which will be now well managed; but as to the transmission of the letter from your country to the Emperor, and the request for a personal interview to deliver it for transmission, of which you speak: I have to reply that as you have been many years in Kwang-tung, where I have already seen you in a personal interview, there is no need of further argument on this point. Furthermore, owing to affairs

in

in Kwang-si, requiring the dispatch of troops and other details respecting supplying the forces. I have not a moments leisure. If you wish to send the President's letter, it can be made up and duly sealed and sent to me, and I will forward it to court by a good opportunity, which will be fully sufficient.

The Notification which you have issued in relation to the traffic in coolies, strictly forbidding it, is an exceedingly proper one.

While sending this Communication I wish you a daily increase of happiness.

To

His Excellency Peter Parker
Commissioner of the United States and
Minister Plenipotentiary

January 30th 1856.

Despatch No 4.

Enclosure B

A. S. Ship Macedonian
Hong Kong, January 17th. 1856

To

His Excellency. P. Parker
United States Minister to China.

Sir

With a view of making you better acquainted with the state of our affairs at Amoy and Foo-chow. I have the honor herewith to enclose copies of some of the Correspondence I had with our Consuls at those ports, and also my letters to the local authorities, and reports to the late Commander in Chief on the subject.

I am
Very Respectfully
Your Obt. Servant
Jno Pope
Comdg U. S. Naval forces
East Indies & China Seas.

United States Legation
Hongkong Jany 18th 1856

Capt John Pope
Commanding U. S. Naval forces
East India & China Seas

Sir

I have the honor to acknowledge receipt of your communication of 17th inst. enclosing copies of your correspondence with the consuls and local authorities at Foochow and Amoy, and beg leave to express my high appreciation of the judicious manner in which you have disposed of those public affairs which came under your supervision at those places.

I return herewith the original of Mr Jones letter to you at Foochow, of which I have had a copy taken,

and remain, Sir,

Respectfully
Your Obedient Servant
Peter Parker

Consulate of the United States
Amoy January 12th 1856.

Sir

I learn from the Hong Kong papers, and from other unofficial sources, that you have arrived in this country as the Commissioner of the United State for the Empire of China &c.

Allow me to congratulate you on your honorable promotion and on your safe return to this country, and to assure you that it will at all times afford me pleasure to cooperate with you and to render such correlative assistance as it may be within my power to offer towards sustaining you in the responsible duties which will devolve upon you as the High Representative of our Country in this Empire.

And I embrace this early occasion to submit to you a question of some importance which has arisen at this place within a few months past, and upon which I yesterday received a communication from the Secretary of your Legation, to which I desire this may answer as a reply.

With that communication is enclosed a most extraordinary document from the Governor General of Canton. I might have been surprised and even astounded at the monstrous absurdity

and

and perversion of truth exhibited in what purports to be a quotation from a letter from the Intendant of Circuit of this District, which appears in that Communication of the Governor General. If my experience during the past few months in Chinese Diplomacy, in the prevarications, misrepresentations, and Misstatements with which their official missives abound, had not prepared me to be surprised at no display of duplicity, however gross, at no prevarication however disingenuous, and no mendacity however atrocious, that may emanate from the subordinate Chinese authorities of this District.

I should promptly have communicated with the Legation on the first moment of Controversy's assuming an important aspect, if there had been any Commissioner of the United States in China, or if I had known of any one in charge of the affairs of the Legation, with whom to correspond. In the absence of this, I addressed a communication on the subject to the Commodore of the U.S. Naval Forces on this station, and also submitted the whole matter to the Secretary of state, in a despatch of the 10th of Dec. ult. And as that despatch embraces a summary of the whole subject at issue, I send you a copy of it herewith, and will

furnish

furnish you with the whole Correspondence, or such part of it as you may desire to see, as soon as I shall know your wishes on this point.

The extract from the Communication of the Intendant of Circuit of this Department, is a tissue of misrepresentations and absurdities, to call it by no harder name, from beginning to end, and does not differ materially except in one or two particulars, from that which that functionary had set forth in his communications to me, and which I answered, as I thought they deserved, at the time.

That extract contains one statement which the Tootae, or Intendant of Circuit, with all his brazen assurance and unscrupulousness of assertion dared not to put forth here, where its utter falsity is so palpably apparent, and that is, that I have occupied "some burying ground on Kooloangtoo"

Now the truth is, that there is no burying ground, and scarcely a solitary grave in sight of the lot which I have occupied, excepting the English and Parsee cemeteries, which are from a quarter to half a mile from my premises. There is not a single Chinese grave on my ground, or on any of the lots adjoining, or on any in the neighborhood.

And

And how it was possible for the same official to make the ridiculously false assertion that I was "building chinese on a teachers hall" (or Catholic Temple as he turned it, in a letter to me, direct) while I had over and over repeated to him that I was building a Consular residence. — can only be accounted for as an exhibition of the same fatuity and recklessness of assertion, that have characterized his other statements.

One of the "traitorous persons" alluded to is a house servant or steward of mine who merely acted as my interpreter or agent, in obtaining of the owners the leasing of their lot, as I directed him. The other traitorous persons rented me only his own lot, and had nothing to do with the others; but being in the employ of an English merchant here, and not disposed to lose the use of his land, when he could get pay for it, he refused to submit to the arbitrary dictation of the mandarins, who wished him to repudiate his contract with me, after he had agreed to let me his land. This is the sum of his offending this, his "traitorous" conduct. All of the persons of whom I rented, expressed themselves voluntarily willing to let me have their land, most

of

of them were very anxious to do so. But some of them were afterwards compelled by the Mandarins to say that they did not wish to rent, although privately they assured me they did, and that as soon as the excitement on the subject was over they would enter into written Contract, as they had agreed.

And to prove that this was their wish and intention, I am now able to adduce the corroborating fact, that within the last three days, the owners of two several lots have entered into written Contract with me, taken their rent money, and a third received his rent but wished to return it the day after the Vandalia left, fearing, as he said, that the mandarins would find it out, and punish him, but saying that he would ultimately fulfill his agreement with me.

This is the kind of "forcible possession which the American Consul has taken of the "burying grounds" on Koolongsoo! This the way in which he has "compelled the owners to lease it to him!"

Persons living in the houses nearest to my grounds on that Island, are daily at work at work on my premises, and all the people in the neighborhood appear friendly and anxious to have me go on with my building. These are the people whose wishes

I

I am accused of "opposing".

But as I have shown up these absurdities elsewhere, I will not dwell longer on them here.

It is necessary, however, to allude to some of the positions of the Governor General. His excellency seems not to be aware of the true location of Koolongsoo, nor of its latter day history - or perhaps he has mistaken some other Island or place for it. His Excellency says:

"I learn, on inquiry that Koolongsoo is not a place in the five ports, where merchants carry on their trade. The English men of war did indeed, on a former occasion, repair to this place, but his Excellency Keying had several consultations with the English Plenipotentiary, and communications passed between them; after which it was decided that the ships should remove from Koolongsoo, and it was restored, as before; since then, there has no discussion on the point. Even then the English ships only anchored at this place, and there was no encroaching on and occupying the land, as I think your government must already have heard."

I have taken the liberty to underscore a few extraordinary passages in this most

Extraordinary

extraordinary scrap of history put on record by His Excellency "Yeh – by Imperial appointment Governor General of Liang Kwang, Assistant Cabinet Minister &c."

If our government must already have heard as His Excellency thinks, that "there was no encroaching on or occupying the land" by the English, when three ships were anchored at Koolangsoo, and three troops had garrisoned the Island and held possession of it for several years, it has been more fortunate in "hearing what was not to be heard", than has the humble writer of this.

And if the "English men of war did, indeed (only) on a former occasion repair to this place" and if those ships have since been "removed from Koolangsoo", that is another evidence that while some people may have the reputed faculty of seeing what is not to be seen, as well as hearing what is not to be heard, these happy faculties have not been vouchsafed to at least one person, who has been in the habit of visiting or looking upon that enchanted (if not fabulous) Island, nearly every day for the past year and a half, and has seen within a twelve month, the officers of a British vessel of war snugly domiciled in a house on that Island.

Where

where they remained in possession, with the knowledge and assent of Chinese authorities, until the vessel left the Port — a period several months in duration — that men of war, at the same time lying at anchor as near to the Island as was compatible with her convenience.

But perhaps His Excellency was thinking of the English opium receiving ships, which were, for a time anchored on the outside borders of Koolangsoo. But they were ordered out by the Chinese authorities, because of their being in the Port of Amoy, contrary to Treaty.

After these discoveries in the history of the past, and in the geographical wonders of the day, that His Excellency should "learn on inquiring" that Koolangsoo is not a place in the "Five Ports" is not remarkably strange. Although on inquiring the writer of this learns, from Chinese books, that Koolangsoo is one of the jaws of the harbor of Amoy, and the opposite town of Amoy, the other, — and although duties are now collected by the Chinese Authorities of vessels anchored on all sides of that Island, and although, in accordance with the Treaty which allows foreigners to establish cemeteries &c only at the Five Ports, — the Chinese Authorities have permitted the English and other nations to have Cemeteries on Koolangsoo.

But

But it is needless to dwell further on these topics in this place. And if His Excellency the Governor General desires to know what the American Consul at Amoy has done and why he has done it.— I trust you will transmit to him so much of this communication and of my despatch to the Secretary of State as will serve to show him the true state of the case. And I beg leave, in Conclusion, with all due deference, to suggest, that if His Excellency, instead of hastening to pronounce a "snap judgment" upon mere exparte and false testimony, had waited until both sides of the question had been presented, and had duly considered the import of the article of our Treaty which he quotes, and which explicitly requires that Americans "shall enjoy all proper ~~accommodation~~ accommodation in obtaining houses and places of business"— if His Excellency had done this, it would, I humbly conceive, have exhibited more of the character of an intelligent, impartial, umpire, than by proceeding to make up his mind upon a bundle of absurd incongruities, bearing the impress of improbability and mendacity upon their very face.

During the time when the local authorities were throwing every possible obstacle

in

in the way of my building. I gave them notice that we should hold them strictly responsible, not only for the insults, but for all additional expense that they might occasion, and that we should probably be able to indemnify ourselves for damages, out of the duties which would accrue from American ships visiting this Port.

The presence of the "Vandalia" was of essential service in checking the aggressions of the infatuated authorities; and since her departure, on the 10th inst. things have gone on quietly. From present indications, I shall have a wing of my buildings, sufficient for an office and temporary living quarters, finished, and ready to occupy in one or two weeks from this time.

I hope we shall soon have the pleasure of seeing you at Amoy, when you will be able to obtain a more distinct idea of the true state of affairs here, than I can convey in this hasty communication, which I am obliged to hurry off by the steamer which leaves on short notice for Hongkong.

I suppose that the new Consular law leaves my old judicial salary as it was; and that what is called $2.500 is for Consular duties only

Am

Am I not right in this opinion?

Hoping to hear from you or to see you soon.

I remain

Very Respectfully Yrs.
T. Hart Hyatt
United States Consul
Amoy

Honorable Peter Parker
Commissioner of the United States
In China &c.

Legation of the United States.
Macao 26th January 1856.

Thos. N. Wyatt Esq.
United States Consul
Amoy

Sir

Your communication of the 12th of January enclosing a copy of your despatch addressed the State Department under date of the 10th of Dec. last, has been duly received. Also two despatches addressed the late Commodore Abbot by Captain John Pope, with his Correspondence with the Toutae of Amoy, are before me, and the Communication of the Imperial Commissioner Yie of the 18th Dec. 1855.

I learn with satisfaction that since the departure of the "Vandalia", things have gone on quietly, and that you have the prospect of soon completing a wing of the building in progress of erection, sufficient for temporary use.

The attainment of no right under the Treaty, has been attended with so much difficulty as that of 17 Article of which you seem to hold a full share.

Had I had a Steamer at Command

I should before this have visited Amoy without which it is inexpedient to do so.

My hope, however, is that no further obstacles will be thrown in the way of completing your building, and quietly occupying your premises which are unquestionably within the Port of Amoy, and with this hope, I deem it inexpedient to open, for the present, a correspondence with the Imperial Commissioner upon the subject, unless further difficulties thrown in your way, shall leave me no alternative but to do so.

The period is now at hand for the revision of the Treaty, and it becomes highly politic to avoid all cause of irritation of the Chinese government, calculated to prejudice the negotiations soon to be entered upon. If ulterior measures must be adopted, it is best to postpone them, till all means shall have been exhausted by amicable negotiations to place the relations of the two governments upon a proper footing.

You allude to the favorite panacea for all ills, - the "stopping of duties", and I hasten to inform you that, by the instructions of the State Department, our

Consuls will not be justified in any instance, in resorting to this measure without the previous sanction of the Legation, and then only as a last resort.

In reply to your questions, I am not aware that the act of 1848 which gives to United States Consuls $1000. per annum. for judicial services has ~~not~~ been repealed, and my impression is that the salary as determined by the Act of Congress appeared 1st of March 1855 — is for Consular service alone.

Your Report of judicial fees &c, for 1855 has not yet come to hand.

Thanking you for the kind sentiments conveyed in your despatch I have the honor to remain Sir

Very Respectfully
Your Obt Sert.
Peter Parker

Yeh, by imperial appointment, Governor-general of Liáng Kwáng, assistant cabinet minister, &c &c. hereby communicates on business.

The intendant of circuit in the prefectures of Hing-hwá, Tsiuenchau & Yungchun in the province of Fuhkien has represented to me as follows: that, "During the ninth moon, certain traitorous persons, Kwáng Sz' Kwáng Chú & others had leagued in with the American consul to occupy some burying ground on the island of Kúlángsú near the foot of a hill belonging to the family of Kwáng, and fraudulently transfer it to the latter for building thereon a teaching hall, and that the foundations had already been laid. It appears from what Kung Tái and others of the people living on Kúlángsú say, that — this Kwáng Chú and his fellows have, in their love of gain, urged on the American Consul to take forcible possession of this ground which is their patrimony. As soon as I learned these particulars, I sent a deputy from the district magistrate's office to the spot to learn the particulars, at the same time intimating to the American Consul that he must conform to the requirements of the Treaty, and not encroach on the possessions of people living on Kúlángsú, opposing the wishes of them and their rulers; and that it would be more proper for him to inquire respecting the prohibitions, if he regarded mutual harmony."

On receiving this, I see by the Treaty that whenever Americans come to either of the five ports, to

live permanently or hiring for a space, they have usually rented houses of the people, or else taken land on a lease whereon to erect

it provides, that, "Citizens of the United States residing and sojourning at any of the ports open to foreign commerce shall enjoy all proper accommodation in obtaining houses and places of business, or in hiring sites from the inhabitants on which to construct houses and places of business, & also hospitals, churches & cemeteries. The local authorities of the two governments shall select in concert the sites for the foregoing objects, having due regard to the feelings of the people in the location thereof; and parties interested will fix the rent by mutual agreement; the proprietors on the one hand not demanding any exorbitant price, nor the merchants on the other unreasonably insisting on particular spots, [but each conducting with justice and moderation.]" This article specially refers to the Five Ports, but I learn on inquiry that Kiúngsiu is not a place in the five ports where merchants carry on their trade.

The English men-of-war did indeed on a former occasion repair to this place; with their ~~accompanying~~ guns; but His Excellency Kíying had several consultations with the English plenipotentiary, and communications

passed between them, after which it was decided that the ships should remove from Kúlangsú, and it was all restored as before, since when there has been no discussion on the point. Even then the English ships only anchored at this place, and there was no encroaching on & occupying the land, as I think your government must already have heard.

American merchants now resort to the five ports on the same terms as the English; how then can the resident American Consul at Amoy act so against the stipulations as to try to possess himself of a spot and compel the owners to lease it to him? I learn, too, that the people of the place Hung Tái and others have unitedly represented to the authorities that they do not agree to the thing, and are unwilling to allow it. Such a proceeding will soon stir up bad feeling and cause trouble; and shall not I, the high minister, immediately inform you of it?

I hear that the commissioner Mr Lane has returned home so that there is no one with whom to communicate; but I send this special dispatch to you, that you may immediately enjoin upon the consul at Amoy that he entirely conform to the regulations, and not attempt to encroach upon the ground of the people on Kúlangsú and build a hall for instruction there in

violation of the Treaty. As soon as you have received a reply from the consul at Amoy, you can send our answer to this. Let there be no delay.

A communication sent to the American consul Sturgis.

Dec. 13. 1853.

Legation of the United
States. Canton. Dec. 19. 1858

Sir,

The inclosed communication has been received from the Governor-general at this place, but as he gives no date to the dispatch he had received from the intendant of circuit, I can not tell at what point of the proceedings it was written. He allows time to send to you and ascertain the points of the case, and I have replied to him that such a proceeding was necessary before his communication could be answered.

Will you furnish the necessary facts and documents to enable me to reply to the Governor-general, and tell him what the truth really is in this matter!

I remain, Sir,
Most respty your Obt Servt

S. Wells Williams
Sec of Legation

To
J. Hart Hyatt Esq
Consul U.S.
Amoy

Copy

U. S. Ship Vandalia
Amoy November 20th 1855

Sir

I herewith transmit a communication from our Consul at this port, setting forth the embarrassing situation in which he is placed; and ask for your instructions as to my course of action, in case the authorities persist in their present course. A few days since, I had, in company with our Consul, an interview with the Taoutai, when the subject was brought up and discussed for about two hours. He (The Taoutai) took the ground that Ko-lung-soo is not in the port of Amoy, and as the English on giving up that Island, pledged themselves, as he says, that no foreigners should reside there; we have no right to a residence at any other place than on the Island of Amoy; and that he could not, without committing himself, sanction the going on of the work; and that he should punish any Chinamen detected so employed. That he had referred the matter to the Governor General or Viceroy.

I told him I was here for the protection of my countrymen and their property; and on no account to permit our flag to be insulted. That, if he persisted in these annoyances, the consequences would rest on him, and that by our treaty stipulations, our Consuls have the right of residence at the five ports now open to us; And, as the island of Ko-lung-soo is in this port, and not over a quarter of a mile distant from

from Amoy, it was considered by our Commissioner as such, and would be so considered by me. However, all this, and much more was said, but to no effect. He said he could not give his consent to the erection of a mansion on the island. I told him our Consul had obtained a lease of the land, and I should protect him in doing what he thought proper on his own soil.

I have since moved the ship into the inner harbor, and placed her directly opposite the place in question, with the determination of giving that protection to the Consul, which I consider right and proper, and I shall at all times have the ship in readiness to do so.

I told the Taoutai, furthermore, that his sending a party of men to Kolungsoo, to stop the men employed by our Consul from working, was an indignity to him, and our flag, and would be represented to my Government. He said 'No, the insult was to his Government, by our Consul hoisting his flag there, and employing a gang of men to work, without his knowledge.'

I hope soon to have your views and directions in regard to the course I am taking, as well as to my future course, provided the authorities persist in this annoyance. It is gratifying to know that the sentiment of all the foreigners at Amoy, are the same as our own.

It is much to be regretted that we have not a Commissioner in China to whom such important matters

-ties might be referred and settled without resorting to force

I have the honor to report my arrival at this port from Foo-chow-foo on the 14th inst.

I am Very Respectfully
Your obedient Servant

(Signed) Jno Pope Commander

Commodore Josiah Abbott
Com^d^r in Chief U.S. Naval Forces
East Indies & China Seas
Hong Kong

U. S. Ship "Vandalia"
Port of Amoy November 21st 1855

To
His Excellency
Taoutae of Amoy
Sir.

It having been represented to me by the U. S. Consul for this port, that since his arrival here it has been impossible for him to procure a suitable place of residence, insomuch that he has been dependant to a certain extent, on the liberality of foreigners possessing property in Amoy for a place of temporary shelter; and that this dependant and undignified situation of the representative of the United States in this port has been in consequence of obstacles thrown in his way by the Chinese authorities, whenever he has attempted to negotiate with citizens for the purpose of procuring a place of residence - notwithstanding the willingness of property holders to lease their land to him. And that, as circumstances will oblige him soon to give possession of the house now occupied by him, and seek a residence elsewhere, and finding a residence unobtainable in the City of Amoy, on account of unofficial interference: For self protection he has purchased the right of a lot of ground on the island of Ko-lung-sae in this port where he had commenced erecting a mansion, and was permitted to ground unmolested, and at considerable expense, with

with the same for about two weeks, when the power of the Amoy officials over the laborers employed by him (which appears to be absolute) was exercised to prevent the further progress of the building; not to mention the destruction of property; if not by authority of the officials, encouraged by their acts; thereby evidencing a determination on the part of the authorities of Amoy, not only to drive away the U. S. Consul from the city, but from the port also. Now, as this conduct is in violation of the Treaty solemnly entered into between the United States of America, and the Celestial Empire, which expressly stipulates that the former government shall have Consular representatives with a consular residence at the port of Amoy &c., all which you perfectly understand; this is to inform you that steps are taken by my Government for the purpose of protecting the rights of her citizens, and maintaining the respectability of her flag wherever it may be, and being satisfied that the conduct of the authorities to the U. S. Consul at this port has persevieringly been persisted in; treating him most uncourteously, although he has again & again remonstrated against this course of treatment in preventing him obtaining a place of residence in Amoy; and driven him to the necessity of acquiring property on the island of Kulang-soo, for the purpose of erecting a consular mansion. And as there is no law preventing owners of property on the island of Kulang-soo from disposing of it to

to foreigners, as much of it is already in the possession of foreigners. I intend to protect all property legally acquired by the U.S. Consul, and my countrymen. And furthermore I respectfully call Your Excellency's attention to the eighth article of the Treaty wherein it stipulates the right of citizens of the United States to hire at pleasure, servants, linguists, writers, and to employ laborers and persons for whatever necessary service, for a reasonable compensation to be agreed on by the parties &c without interference on the part of the officers of the Chinese Government.

Now, it is to be hoped that all such persons as are in the employ of the Citizens of the United States, will meet with no further molestation, and that the good understanding which has so long existed between the United States & China may ever continue;

My course of proceeding will be in strict accordance to the treaty stipulations, which meet all the points at issue, and no further arguments seem necessary

I have the honor to be

Very Respectfully

Your obedient servant

(Signed) Jno Pope

Commander

Captain Pope, the Commander of the U.S. Ship, Vandalia would respectfully say to this Excellency the Taoutae of Amoy, that if he has any other suitable site he would prefer to have the U.S. Consul occupy as a Consular residence, to the one he is now preparing to build upon on Ka-lung-soo, he is desired to make it known within two days to him, (Capt. Pope) and he will then examine the said site, and if suitable and proper, will propose to the Consul to accept it in place of the one he has been obliged to select; trusting that the matter may be thus amicably settled to the satisfaction of both parties.

Amoy, December 3rd, 1853.

Liang, holding the Imperial Commission as Intendant of Circuit over the police and Military of the Districts of Ting, Chuen and Ting, in Fookien, makes official answer. -

On the 24th day of the 10th moon of the 5th year of Hien fung (Dec. 3d 1855) I received your, the honorable Commander's official communication, stating that — (here follows a quotation of the whole of Capt. Pope's letter.)

In the treaty of Commercial regulations, we find, "Citizens of the United States residing or sojourning at any of the ports open to foreign commerce, shall enjoy all proper accommodation in obtaining houses and places of business, or in hiring sites from the inhabitants on which to construct houses and places of business, and also hospitals, churches and cemeteries. The local authorities of the two Governments shall select in concert the sites for the foregoing objects, having due regard to the feelings of the people in the location thereof; and parties interested will fix the rent by mutual agreement: the proprietors on the one hand not demanding an exhorbitant price, nor the Merchants on the other unreasonably insisting on particular spots; but each conducting with justice and moderation." (Art. XVII.) - Thus the citizens of your nation at the port of Commerce, may

rent

rent ground and build houses. They themselves must select and fix upon sites in reference to which both parties are willing. The affair must be managed by mutual agreement and in concert. It does not behoove the local authorities in the first place, to select and fix upon these sites in their behalf. Now that Mr. Hyatt, the Consul of your Nation desires to erect a Consular residence, this is just in accordance with the regulations just stated. Therefore you, the Commander, will dispense to Mr. Hyatt, the Consul at Amoy, to look out a suitable and agreeable place, and make inquiries of the proprietor. If he be willing to rent, then send an official communication to the local Authorities, who in concert (with the Consul) will deliberate on the price of rent. If the people (in the location thereof,) are satisfied, there will be no obstruction, and the Consul's official residence may immediately be built.

I shall be much gratified if the officers of your Nation obtain a pleasant and agreeable place of residence. — As regards Ko-long-su it is not included within the five ports. I have already made examination of the treaty, and sent official communication on this subject to Mr. Hyatt the Consul.

In your communication you state that you will propose to Mr. Hyatt

the

the Consul, to cease from the erection of his house. Thus the amicable relations will be perpetuated, which gives one exceeding great pleasure, and as is proper, I make an immediate answer.

I send this communication to you, the Commander, hoping you will take the trouble to examine it and return an answer, that I may know what is to be done.

A necessary communication

(Addressed to)

The United States Naval Commander, Pope, having charge of this northern station.

Dated Hiuefung 5th year, 11th month, 27th day. (Dec. 6th 1855.)

(The receipt of the foregoing was acknowledged, and a copy furnished our Consul.)

Copy

U. S. Ship Vandalia

Amoy December 11th 1856

Sir.

I have the honor to acknowledge the receipt of Your Excellency's communication of the 6th inst. a copy of which has been furnished to the U. S. Consul. agreeably to your request

I am

Very Respectfully

Your obt Servt

(Signed) Jno Pope

Commander

His Excellency

Taontae of Amoy

Copy

U. S. Ship Vandalia

Amoy December 12th 1856

Sir.

I herewith transmit copies of letters for your information. One from me to the Taontae, and his reply to the same, by which you will see that there is no disposition on his part or that of the Authorities in Amoy to aid our Consul in any way towards procuring a suitable site for a building. And our Consul having exhausted all his individual efforts for the accomplishment of this object, he has made contracts with a builder to go on and build on the island of Koolangsu.

I am

Since my communication to the Taotai of the 21st inst., I have not heard of any threats made to molest persons in the employ of our countrymen. Nor do I think that the officials will dare take any steps in violation of our treaty rights, so long as this Ship remains in the port.

A copy of a letter from our Consul at Foochow to the Prefect of that city, was received yesterday by H. M. S. Cockburn. It seems that notwithstanding the promises made to the Consul and myself while there, the same difficulties exist as before my visiting that port. What effect the stopping of duties may have remains to be seen. I am rather inclined to think it will bring the authorities to reason, and a regard of our treaty rights.

I must say that it is in my opinion very much to be regretted that we are left so long without anyone at the head of our Legation. I understood Dr. Parker to say, on his leaving China for the United States, that several letters from the Chinese authorities remained unanswered by him, owing to his being in such ill health. This may in a measure account for the conduct of the authorities towards our Consuls at this port and Foochow.

I have the honor to be, Sir
Very Respectfully
Your obedient Servt
(Signed) Jno Pope
Commander

Commodore Josl Abbatt
Comdr in Chief U. S. Naval Forces
East Indies & China Seas
Hongkong

Despatch No 4.

Enclosure C

Legation of the United States
Hong Kong 19th Jany 1856

Caleb Jones Esq
United States Consul
Fou-chow

Dear Sir,

As soon as I can command the time I purpose to address you fully in relation to the state of affairs at your port. My present object is to call attention to your note to the Acting Prefect, of the 6th Dec 1855. a copy of which is before me; in which you communicate your purpose, under given circumstances to stop the payment of duties after the 15th ult. and to inform you that the explicit instructions, touching that measure, from the Hon. Secy of State, will not authorize such a step.

I have the honor to remain
Sir
Very Respectfully
Your obt Servant
Peter Parker

Copy

U. S. Ship Vandalia
Fa-chow-foo, November 9th 1855

Sir.

It affords me peculiar satisfaction to state, that at an interview I had with the Prefect of Fuh-chow on the 8th inst, in company with our Consul, most amicable assurances were made by the Prefect of the strongest disposition on his part, and that of the Chinese Government, to preserve the kind and friendly relations which now exist; and that in future all communications coming to him from our Consul, would meet with prompt attention.

An application having been made by Captain Carr of the American Ship "Panama" for a party to go ashore and arrest five deserters from his ship; the Gunner, Boatswain and Sergeant of Marines were sent with orders to bring the men on board if they could be found, but not to enter the house of any Chinaman. After apprehending the men one of them requested permission to enter a house for the purpose of getting his clothes. The request was granted, and he was accompanied by the Gunner and Boatswain. Upon examination, it was found that some of the clothes were missing; and the Gunner going into another house to look for them, was knocked down, and his sword taken from him; and upon his return to the first house entered, he was followed by about fifty Chinamen armed with swords, pikes &c.; who threatened to attack the party

unless they immediately left the premises. Whereupon, the Gunners second being given up, they returned to their boat and brought the prisoners on board.

A report of the affair being made to me, I requested the Consul to address a letter to the Prefect in regard to it, which he accordingly did and a copy of it is herewith enclosed.

No answer being made to the complaint, the attention of the Prefect was called to it at the interview; and he replied, the reason it has not been attended to, was, that it did not state the name of the town, and that he should cause a strict investigation to be made, have the guilty parties punished, and report the same to the Consul. I told him it was a very great offence, and it was expected that the offending parties would be severely punished. And that the offenders would be identified by a man in the employ of our Consul, who witnessed the transaction.

Although the officers departed from their instructions in visiting the house of the Chinaman; still I felt it my duty to bring the transaction before the local authorities, and have the guilty parties punished, which I have reason to believe will be done.

The urgent request of our Consul at Amoy to have the presence of the ship there hastens my departure from this; and I shall have to remain for that port.

I have the honor to be, Very Respectfully, Your Obt Servt
(Signed) John Pope
Commander

To Commodore Joel Abbot
Comdg U. S. Naval Forces
East Indies & China Seas
Hong Kong.

Copy

United States Consulate, Dec 5th 1855

Sir.

I regret to say that I consider my communications, which have been respectful in character, courteous in language, and urgent in importance, have been treated by you and your predecessor in Office, with coal indifference, if not with perfect contempt. I am at a loss for any reason for this. You have, by your inaction, refused to comply with the plainest stipulations of the Treaty, neglected to fulfil promises solemnly made, and seemed to consider that mutual obligations may be set aside whenever it may suit your convenience or pleasure.

I am compelled to say that this state of things will no longer be submitted to, and I hereby give you notice that, unless indemnification is made for the robbery of a large amount of money, belonging to American Merchants in May last; the Deeds, of land paid for, returned; my communications promptly answered; and the offenders who committed the outrages on American officers arrested and punished, by the 15th of this month, I shall from that date stop all duties due on American Ships, and request the attendance of the Ships of War belonging to the U.S. in the China Seas, to visit this Port, when I have no doubt that indemnity for the past, and Security for the future, will be demanded and enforced.

I

I remain very respectfully
Your obedient Servant
(Signed) Caleb Jones
U. S. Consul
Foo-Chow

To His
Excellency Chu
Acting Prefect
Foo-chow-Foo

Copy

U. S. Consulate

Foochow 19th Dec 1855

My dear Sir

I regret to inform you that we are in just as bad a state as we were before the arrival of the "Vandalia" The Authorities here seem determined to provoke us to severe measures. They have allowed the perpetrators of the outrageous assaults upon the two Officers of the "Vandalia" to go unpunished notwithstanding the promises made to Capt Page and myself in the interview with the Prefect of the 7th November. I think you would be perfectly justifiable were you to send a force here and burn the village, when the outrage occurred to the ground. It would be nothing more than just, and would teach them a lesson which I think they very much need. I am convinced that something of the kind must be done before they will respect the rights of citizens of the United States; & the quicker it is done the better. At all events, I beg of you not to allow this matter to be passed over, for if they once think that such an outrage is to go unpunished, there will be no safety in future on that neighborhood. I feel that no blame attaches itself to me for the state of things at this Port. I have ever been respectful & courteous, & until the letter of the 5th Dec. a copy of which I forwarded to you, I have never used a harsh expression

expression. It is very unpleasant to me to continue these complaints, but justice to the large American interest here, and common self-respect, if not the honor of my country leaves me no alternative.

There are, at this time, no American ships in port. Some are shortly expected, & I shall then have an opportunity to try what effect the tone of language of duties will have upon them, although it is an experiment which I am very unwilling to try.

With sincere wishes that your health is much improved since last account

I remain my dear Sir

Very Respectfully

Your obed't Servt

(sgd) Caleb Jones

U. S. Consul

Commodore Jos'l Abbott
Commanding U. S. Forces
In E. I. & China Seas
Hong Kong

Copy

No 2. United States Consulate

Foochow fou January 17th 1856

My dear Sir

Most heartily do I congratulate you upon your appointment as United States Commissioner, and most cordially welcome your back to China with strength, improved health. Since you left us, affairs at this Port have not been conducted by the authorities here in such a manner as to give satisfaction to our Country men here, or to myself. I have been much troubled for some months in obtaining redress for wrongs and injuries committed by the Chinese upon persons and property of our citizens. The particulars in full. I had the honor to address to the late Commodore Abbott, and, if you will kindly apply to Commodore Pope, he will hand you my communications upon the subject. We have had another change in the Prefect within a few days, and as he is a Canton man, it is to be hoped he will be more disposed to adjust our difficulties. Everything remains just as it did when I last wrote to Commodore Abbott, that is on the 19th of December. Some one informed Commodore Pope that the authorities here had "surrendered". This is a mistake, no change has occurred.

I am delighted to learn through our friend Mr Medhurst

Medhurst, of your contemplated visit to this port, and I trust it may be a speedy one. You will be warmly welcomed here, and our house with such comforts as Fóochow affords will be most cheerfully at your disposal during your stay. I am firmly convinced that there is no port in China, where your presence will do as much good at this time as at this place. Your superior knowledge of the Chinese language and characters, would enable you at once, not only to understand, but to adjust all our difficulties. The interview you would probably have with the Viceroy, would beyond all doubt be most beneficial to our interests. I seriously hope that when you come, you will come in a ship of war. We want one here, and must have one. There are many reasons for it.

With kindest regards

Believe me dear Sir
Very Respectfully
Your obt Servt
(sgd) Calvt Jones
U. S. Consul

To
His Excellency
Peter Parker
U. S. Commissioner
Canton
China

P.S

Since writing to you yesterday. Mr. P. the Vice Consul. Mr Hale has informed me that he received a most offensive letter from the new Prefect. The whole character of it was so inadmissible that it was promptly sent to the Viceroy, and Mr Hale says he will not receive any more communications from the Prefect, until atonement is made for the insult

(sgd) C. J.

January 18th 1856.

Legation of the United States
Macao. 30th January 1846.

Caleb Cushing Esq
United States Consul
Canton China.

Sir.

Your communication of the 17th inst. I received on the 27th. Also dispatch of Commissioner Yeh. to Commissioner Abbot. dated Canton 9th Dec. & copy of your note to the Prefect Chang. 5th Dec. & your complaint to Commissioner Abbot of 19th Dec. 1845. are before me. On the 19th inst. in a brief note I informed you, that the instructions of the Hon: The Secretary of State, do not authorize the manner contemplated in your alternatives to the Prefect. and as these instructions I now address you fully in respect to the State of affairs at your port.

Both from private letters from Merchants & Despatches from your Consulate to the State Department. I received while I was in America. I was informed of the plunder of property & the robbery of moneys belonging to citizens of the United States, during

business at Foochow. and the circumstances under which it is carried. and the questions therein involved, fully considered by the Secretary of State, viz. Does the Treaty right, to trade at the five ports, authorize the consignment, or sending, of Chinese agents into the interior to purchase on foreign account teas, silks & other produce, & if so, are the Chinese Authorities responsible for the safety of money & goods, thus purchased? Governor Marcy was decidedly of the opinion that the Treaty gives no such right to our merchants & imposes no such responsibility upon the Chinese Government. And I am advised to be passive in the matter unless the Imperial Authorities demand its prevention, and allow our merchants to continue the practice, but with the express understanding they do so at their own risk, & that in the event of losses being sustained by plunder or robbery, all that the United States authorities can do in the premises is to use their friendly influences with the Viceroy of Chinese, in recovering the property that is lost. You will, therefore, not

be

be justified in denouncing as a slight "indemnification for the robbery", but use your friendly interposition to for as practicable. avoid of any overt. In regard to the other grievances of which you complain to the Prefect. you should stand upon treaty rights. and justly insist for prompt redress. & by patience & tact I trust you will succeed.

Had I a steamer at command I should use no time in visiting Foochow. without which it is inexpedient to do so.

The period for the Revision of the Treaty is now at hand, when it will be my aim to provide a remedy for all the ills which I am hitherto been experienced, and in the mean time it will be politic to avoid as far as may be the creation of an irritated State of feeling on the part of the people & Government of China. and rather than thus prejudice amicable & important negotiations, to postpone resort to ulterior measures.

Whilst there is a Commissioner in China, under no circumstances will the U.S. vessels be justified in

stopping the payment of duties without reference to the Legations, & with the sanctions, which can be given only in extreme cases.

I have addressed a note to the Secretary which as soon as it is translated, will be enclosed to you to forward - a copy of which is sent herewith for your information.

Your Report of Judicial Fees at your Consulate for 1864 has not yet come to hand.

Accept, Sir, my sincere appreciations of your cordial congratulations - and let me rely upon your zealous co-operation, in the discharge of my official duties. in preserving every opportunity of conveying to Chinese Officers & People - the friendly, honorable & just principles, which - in conformity to the instructions of my Government and the promptings of my own disposition, it will ever be my aim to maintain.

I have the honor to remain, &c.

Very Respectfully
Your Obedient Servant.
Peter Parker.

Copy

Legation of the United States
Macao 30th January 1856

Sir.

The Undersigned, Commissioner and Minister Plenipotentiary of the United States of America to China, has the honor to address Your Excellency concerning the affairs of his country at the port of Foo-chow.

The Undersigned has examined and found that on the 8th August 1855, in a communication of Your Excellency to the United States Minister Mr Lapsley, the following language is used,

"I have examined into the trade at Foochow "and everything concerning the affairs of our respective "countries, and the Viceroy, as behoves me have di= "=rected the Deputies charged with the affairs of Com= "=merce, and also the Local Authorities to examine "and find according to the Treaty, and properly treat "your countrymen, with the hope we may enjoy mu= "=tual tranquillity, and that our amity and friend= "=ship may be eternal &c" By such sentiments Your Excellency manifested a proper regard to the Treaty, and the important commercial and friendly interests of the two great nations, and no= =thing more than the carrying out of these on the part of the Deputies charged with foreign affairs, and the local officers, could be desired. But the

Undersigned

Undersigned, on his return to China, after an absence of some months, learns with much solicitude that Your Excellency's most excellent instructions have not been obeyed by said subordinates. The United States Consul at Foo-chow, Mr Jones, has complained to this Legation that the conduct of the local authorities has not been satisfactory; that his courteous communications to them have long remained unanswered, and that he has been unable to obtain redress for wrongs and injuries committed by the Chinese upon persons and property of United States citizens &c.

The Undersigned is only waiting the arrival of his Government's Steamer to visit Foo-chow in person, with Your Excellency to endeavor to adjust in just and suitable manner, all existing difficulties, and if possible, to prevent the occurrence of others; in the mean time, he confidently relies upon Your Excellency's clear perception of what is fit and proper, and the praiseworthy sentiments conveyed in the despatch of the 8th August last, immediately to cause the Deputies charged with foreign affairs, and the local Authorities, to examine the Treaty, and conform in every particular to its requirements, and the Undersigned will enjoin the

the same upon the U.S. Consul, and thus may the good correspondence and recip= =rocal interests of the two great nations be confirmed and perpetuated.

With sentiments of distinguished consideration, and compliments of the season

Your Excellency's
Most Obedient Servt
(Signed) Peter Parker

To His Excellency, Wang
Viceroy of the Min & Chieh
Provinces

(L.S.)

大亞美理駕合衆國欽差駐劄中國便
傳諭曉示事照得本大臣前經面
夫一事嚴行禁止爲此示諭諸色
每以販運中國傭夫爲事生出多
亞非利加洲內販賣奴僕無異間
者有之亦有爲謊言誘誘罔知所
無返國之期中國　國家向已律
昧良經紀誘陷害民人必治以
交移亦經聲明此等例禁置與販
所必禁然於各國条約所載外國
爲在所必禁也明矣邇來因販運
雖事出無心然百千生命已爲喪
業迨鄰於死是此輩之惡眞超越
誼因之損害可貴正經貿易亦被
其戚友豈甘於隱忍緘默乃決然
屬可虞爲此本大臣示諭本國商
國家深惡此等惡習倘敢仍前故違有
國家不惟不應爲之保護乃此輩必自
先也倘中國民人願往別國者與
國中有欲僱覓傭工人夫而中國
之道等事所有一切章程須候泰
國家異日議定如何再行明登条約除
事欵由本合衆國領事官轉咨五

示

一千八百五十六年正月

乙卯十二月

便宜行事全權大臣伯駕　爲
面聆　國訓着於抵任之日立將販運傭
色人等知悉近年以來本國與別國船隻
多少克殘不法天良盡喪之事直與昔年
間有甚於此者以致婦女幼兒被伊購買
所去甚至有被人迫挾帶往不識之地永
律有明条卽年來示諭復屢伸例禁敢有
以應得死罪之語卽中國　官憲與本署
販賣奴僕者同科況且此等生理縱非例
國貿易可到之地一事亦有未合是其應
運之事遂致外國官民聲名狼藉其中間
喪良者所害縱有保存性命者但彼所遭
越尋常意料之外者也加以兩國和好友
然定思報復是則彼業販運者之生命亦
商民諸色人等嗣後愼毋再業販運因我
有被干連拖累者我國
自貽伊戚定干重究勿謂本大臣言之不
與販運之事大不相同不在例禁至若別
國人果能備有資斧船脚兼有可靠回國
泰西各國與中國
除現行曉示外相應將此嚴禁販運傭夫
五港中國地方　官憲一體施行可也特

月初十號卽
初三日　示

Despatch No. 14.

Enclosure D.

Legation of the United States
Hongkong 19th Jany 1856

M. W. Fish Esq
U. S. Vice Consul
Shanghae

Sir.

Herewith I enclose you instructions of R. C. Murphy Esq. U. S. Consul, in relation to the payment to the Chinese Government of the award of His Excellency R. M. McLane in the case of unpaid duties at Shanghae. Also a copy of my communication to His Excellency Governor Kieh upon the same subject; I send to your care the original to be forwarded by the earliest opportunity. As there may be delay in the original reaching its destination, the copy is for the information, in the mean time, of the local Authorities, who may wish to know the views of the United States Government in the premises.

Please to give the subject your most prompt and judicious attention and report to me, at your earliest convenience the result of your action, and

and of that of the Chinese Authorities

I have the honor to be,

Sir

Very Respectfully

Your Obedient Servant

Peter Parker

Copy

Hongkong
January 14th 1856.

To
M. W. Fish Esq
Acting Vice Consul U. S. A
Shanghae. China

Sir.

On my arrival at this port, I received from the Honorable Secretary of State advices, with the opinion of the Honorable Attorney General, on the questions of the duties in my custody under the award of Mr Mc Lane, and I have, after a full conference with H. E. Peter Parker, U. S. Commissioner to China, determined to pay over to the Chinese Government the full amount of the securities on deposit in the Court, which represent the sum of Eighty one thousand, five hundred and ninety two Taels, reserving the remainder of the award, which is in duty receipts, to be settled finally according to Law & Equity on my return to Shanghae, which will be in less than eight months.

I have therefore to direct you on the receipt of this, to communicate with H. E.

Law

Law & Wan (late Taoutai), making clear to them that it is the intention of the Government of the United States to pay to them the whole of the award of Mr McLane, on the sole condition that a receipt be granted in full satisfaction of the claims of the Chinese Government on American Merchants at Shanghai for Import, Esport, and Tonnage dues accruing from the 7th of September 1853 up to the 12th July 1854.

You will then offer them the Bills of Exchange in full satisfaction of the sum of Eighty one thousand, five hundred and ninety two Taels, and take their receipt in duplicate in the terms I have indicated.

Should they consent to this arrangement it only then remains for you to explain to them that, with reference to the balance due on the award of Mr McLane, it being in duty receipts, and no one understanding them but me, it is deemed absolutely necessary in view of the interest of all parties, that so much of the award as is represented by duty receipts shall remain to be adjusted by me in conference with them on my return to Shanghai.

Should the Chinese decline to accept the

securities and give you a receipt as specified for the amount refused to above, then there is nothing more for you to do in the matter. as I will not be present to direct, and the responsibility is of too important a nature, so far as I am concerned, to be treated lightly

I am Sir

Very Respectfully
Your Obt Servant

signed R. C. Murphy
Consul U.S.A.

W

Legation of the United States to China
18th Jany 1856

Sir

The Undersigned. Commissioner & Minister Plenipotentiary of the United States of America to China, having arrived in the south of China on the 31st ult. & on the 1st instant, entered upon the discharge of his public functions, embraces this early opportunity of addressing Your Excellency, conveying the decision of the Government of the United States in relation to the subject of unpaid duties at the port of Shanghai.

On the 31st Jany 1855. the undersigned, then acting Commissioner received a dispatch from His Excellency the Secretary of State, who, having been informed that the Government of Great Britain had come to the decision to cancel certain bonds, given by English merchants at Shanghai for the payment of duties during the disturbances at that port; and, considering the circumstances in which United States merchants were placed as the same as those of the English, instructed the United States Consul to cancel and return the bonds of the American merchants.

In the mean time, by mutual consent of both the Chinese Authorities and the merchants, the whole matter has been submitted to the arbitration of H. E. Rt. Hon. M. Lane, his award declared, the money

paid

paid by the merchants, and the bonds returned. The undersigned, in this dilemma, instructed the U.S. Consul to return the money to the merchants taking from them a written agreement that if, when the action of the Minister McLane became known to the Secretary of State, H.E. should modify his views, they would conform to his final instructions.

The consul, taking a different view of his duty did not return the money, but waited for further instructions from the home government; besides, it was understood that the Hon Taotai was unwilling to take the money till he had received orders so to do from the superior Authorities, and thus the matter remained in suspense.

The Undersigned has now received the following instructions "The order from the State Department for giving up the bonds was issued after the case was referred to the Umpire, and while the U.S. Government was ignorant of that reference, but the submission of the case by the parties interested to the arbitration placed it beyond the control of that Government, and the mode of adjusting the disputed claim agreed upon by them ought to be carried out. The Undersigned is therefore instructed to notify the Chinese Government that the decision of the Arbitrator is regarded as binding on both parties, and that the money

will

will be paid on its demand &c"

Since the arrival of the undersigned in China, R.C. Murphy, the U.S. Consul has appeared before him, and states that the award has been demanded by your Honorable Government, and according to the instructions of his Government, the money must be paid; but when the city of Shanghae was about being recaptured, he became anxious for the safety of the money, and therefore converted it into Bills Sterling. He has now ordered W. N. Fish Esq. U.S. Vice Consul, at once to pay over to the Hon Taotae these Bills Sterling, & to take a receipt for the same, so much of the award as is embraced in duty receipts to remain till the Consul's return in a few months.

The Undersigned avails himself of this opportunity of renewing to Your Excellency the assurances of his friendship and high consideration, & has the honor to remain

Your Excellency's
Very Obedient Servant
Peter Parker Jr.

To
His Excellency Yeh
High Imperial Commissioner
&c &c &c

(L.S.)

United States Legation to China
19th January 1856

Sir.

More than a year has elapsed since I had the pleasure of meeting you, and in that time the round world has rolled between us, separating us by many myriads of li. Often have I recalled our former friendships, and desired to renew them. In the month of May last, my declining health compelled me to embark for the United States, not knowing whether I should ever return hither. But on reaching France and England, I learned it was the wish of my government that I should assume the duties of Commissioner in China, and the President even desired me to turn back from England, without visiting America, but seeing I had been absent nearly fourteen years, it was determined I should first visit Washington. After remaining two months, during which I had much intercourse with the President and his Cabinet, and received full instructions concerning all my duties as Commissioner, I again embarked for China, where I arrived on the 31st ult, with full powers to meet Imperial Officers, and with them to revise the Treaty the present year. I come, bearing the most friendly sentiments from the President of the United States to His Majesty the Emperor, and

and I am happy to know that England & France whose Flag Officers I had the honor of seeing, entertain the same. If this amity and friendship shall be reciprocated on the part of your Hon Nation, the Revision of the Treaty will not be difficult and, in my humble opinion, it may be so done that tranquillity may be restored to the people of China, and prosperity and happiness may be universally enjoyed. At any rate, this is the desire of my government, and will be my steady aim. I am only waiting the arrival of my nation's steam Frigate, which may be here in a few months, to visit Shanghae, when I shall have great pleasure in once more meeting you, my much esteemed friend, and conferring with you upon all things mutually concerning our respective countries. His Excellency M. Law often remembers you and sends you his cordial greetings. He is now occupied in public life in America. Excuse this illegible scrawl.

With sentiments of friendship & esteem

Peter Parker

His Excellency
Keih-Ming-Ch'i
Governor of Kiang Soo.

(P.S.P.)

Despatch No 4.
Enclosure E.

Circular No 1

Legation of the United States
Macao 24th January 1856

Sir,

Herewith enclose for your information a "Public Notification" of the 10th inst. with Chinese translation, in relation to the Coolie trade, and you are hereby instructed to communicate the same to such local authority at your port, as you may deem proper.

I have the honor to be
Sir,
Your very obedt Servant
Peter Parker.

Copies of above addressed to
D. N. Pery. U. S. Consul. Canton
Caleb Jones Do. Do Foochow
Thos N. Hyatt Do. Do Amoy
D. B. McCartee Do. Vice Consul Ningpo
M. M. Fisk Do. Do. Do Shanghai

Mr C. P. Mayford to Dr Parker

To His Excellency Dr P. Parker
Commissioner & Minister Plenipo-
-tentiary to China from the United States
America.

Sir.

I take the present occasion to congratulate you upon your safe arrival in China after an absence of some months from this country, where so many years of your past life had been spent, and where you now propose to spend some time holding the high office as above stated.

Another object in addressing Your Excellency at this early date after your arrival is to ask your opinion about Coolie Trade as now conducted and whether or not the Govt of the United States consider the carrying of Coolie emigrants in American ships, as a lawful trade, and one in which, should such vessels engaged meet with any opposition by the Chinese Government or should these vessels in the pursuit of this trade be obliged to put into foreign ports, and cases arise such as has recently occurred at the port of Manila (of the circumstances connected with which Your Excellency may be familiar) could the owners of such

such vessels receive assistance from the Govt of the United States in the matter of transfer, and the Chinese demand their release from any contract as now made. The writer acting as agent (and being a part owner of ships) for one of the most respectable firms in the United States, and having several ships laden for Peru & other places, has recently heard that the Govt of the U. States discountenances the carrying of Coolies, and knowing that the Mercantile Houses alluded to would not wish their Agent to enter into any trade considered illegal or immoral. Some months since the writer received orders from these friends to send to Rio de Janeiro some 2000 Chinese under Contract made with the Minister of the Brazilian Government, and bound the members of the house in the sum of £2000. to have their agent send such number of men within the term of Eighteen Months from June last. In conformity with such instructions as I then received. part of the Chinese were embarked on board the ship "Sarah" and sailed for that country on the 26th Dec. Messrs Sampson & Tappan in good faith for the fulfilment of this engagement with the Minister of Brazil have sent ships & money to have the contract completed. There is a clause in this Contract which makes the

promises

proves that should the Government of China or the United States look upon the traffic as illegal, then the contract is null & the Agent of Consul not bound to send such emigrants, neither can the Brazil Govt exact said £2000 or any part of it. and Should Your Excellency may be pleased to grant the writer such document under your official seal as may warrant the non-fulfilment of the Contract, and not be held liable by the said Govt of Brazils for the payment of the amount specified in said bond.

The Coolie Trade, as it has been conducted in China, has always been abhorrent to the writer, and it has been only as acting for my friends as Agent that I was induced to enter into the trade. So long as the Govt of China, as I understand it does, prohibits the people from emigrating, and that many who have gone have done so under or by false representations by the Shroffs or Crimps who enter the country for=dure men from the remote provinces to come to the Sea Coast & embark on board foreign ships & by contract to serve in a far country for the term of five or eight years. Convinced that my friends supposed that those who embarked in their ships came from the country freely & of

& of their own accord, as those do who have gone to Aus-
-tralia & San Francisco. I had stated the facts of the
case to them & they order me now to abandon such trade
if not strictly legal & moral.

Should the Govts of the U. States & England through their
Ministers make such alterations by treaty with China that
men may freely leave this Country to go where their labor is wan-
-ted, & said Govts appoint Agents to see that proper ships & all
necessaries are found for the conveying such freemen to leave their
country, and to adopt such measures as to avoid the evils & abuses
of the Coolie Trade, then it may be a benefit to such Emigrants &
give employment to many ships in carrying such men to a distant
country. I have had recent letters from Amoy that the trade is becom-
-ing dangerous, and one Captain of an Am^{n} Ship had been seized by the
friends of those on board, & held as hostage until they should be released.
He was however relieved by some sailors who came to the rescue. My letters
from Callao also state that many evils and abuses had occurred on board
ships, & many deaths had occurred, & the English Consul had found it nec-
-essary to make strict enquiries, the result of which will probably
be represented to the Government of his country. All of which proves
that the business is badly conducted, & should Your Excellency desire
many facts can be brought to your notice.

Your Excellency I trust will be pleased to give the writer an early
reply, & if possible such document as is asked for in time to forward
by the mail of the 15th January.

Very Respectfully
Your obt Servt
(Sgd) C. D. Mayford

Hongkong
Jany 7th 1856

Copy

Legation of the United States
Hong Kong. 14th Jany 1856.

C. D. Murgford Esq
Hong Kong

Dear Sir,

I have the honor to be in receipt of your communication of the 7th inst, in relation to the ~~subject~~ Chinese Coolie trade, and enclosed for your information a Public Notification of the 10th inst upon that subject, and have to refer you to the same for my views upon the usual questions you have referred.

With a high appreciation of your friendly sentiments, I have the honor to remain,

Sir.

Very Respectfully
Your Obedt Servt
(Signed) Peter Parker

Draft

Copy

Foreign Office
October 31st 1855

Sir

I transmit herewith for your information a copy of a from Her Majesty's Consul General at Havana, enclosing a list of the Chinese labourers imported at that place since 1847, and containing some observations as to the treatment of those labourers by the Cuban planters.

I am, with great truth and regard, Sir
your most obedient humble servant
(Signed) Clarendon.

Sir John Bowring
&c &c &c

Copy

Havana August 7 1855

My Lord

I have the honour of submitting to your Lordship herewith enclosed, a list of the Chinese Labourers imported here up to the present time with the names of the vessels in which they came, the consignees of said Asiatics, the tonnage of the Ships & the number brought by each

The Earl of Clarendon K.G. &c &c &c

These

These labourers came engaged for eight years, so that the contracts of those imported in the year 1847 have expired, but I have not heard that any of them have applied to be sent back to China; no doubt a great number of them have died, so that probably not more than half of those who arrived that year are surviving; and, as most of them have views to posts of trust & confidence upon the estates, I am of opinion that, in general, they have bettered their condition by coming here, but this opinion I would restrict to those of the Chinese who first were brought over. They are too numerous now to obtain preferment, and as they are treated with very little more consideration than the slaves, I consider that their position now, and henceforth, as regards further importations, is & will be exceedingly miserable.

The estimation in which they are held by the planters is as varied as are the characters of their masters. Upon some estates they are preferred to the Africans upon others they are not at all prized. They are however acknowledged to be superior to the Negro in intelligence, but in many instances, they have displayed a malicious & vindictive disposition, and have had recourse to incendiarism of the works & cane fields out of revenge for punishments, or, what they may have considered, ill treatment of other kinds.

Their

This importation has been found to be a profitable speculation hitherto, & therefore it is likely to be continued for some time longer, but I doubt, if their numbers are much increased, that their superiority of intelligence will give rise to alarm on the part of the Govt, the more so as it will hardly be possible to continue to subject them to the severe dominion which is exercised over them by their masters, hardly differing from that which is enforced upon the slaves with whom they are set to work. Some of their superiority of intellect and intelligence will unavoidably pass to their African colaborers, & if discontent should arise, which may reasonably be anticipated, the consequences would be very serious.

I understand the expenses, attending the engaging & bringing over of these Coolies, amounts to about $85. & the price paid for transfer of them under this contract is about $170 or $12. besides, as reimbursement for two suits of clothing which are furnished to each, previous to their sailing from China.

I have the

(Signed) Jos. T. Crawford

The list enclosed in within despatch gives the number of Coolies imported from the various ports as follows.

Amoy	3954
Macao	1219
Swatao	2508
Total	7711

and in the different years

1847	600
'53	3261
'54	838
'55	2012
Total	7711

THE

Hongkong Government GAZETTE.

NEW SERIES. VICTORIA, SATURDAY, 2D FEBRUARY, 1856. VOL. I. No. 31.

GOVERNMENT NOTIFICATION.

The Contract for publishing this *Gazette*, entered into on the 24th September, 1853, was terminated on the 30th ultimo; and notice is hereby given, that a NEW SERIES of this *Gazette* will be published hereafter, to commence from the 7th instant, under a New Contract, and that

"*THE HONGKONG GOVERNMENT GAZETTE*"

will, as before, be the only Official Organ for PROCLAMATIONS, NOTIFICATIONS, and PUBLIC PAPERS, of this Government.

By Order,
W. T. MERCER, *Colonial Secretary.*

Colonial Secretary's Office, Victoria, Hongkong, 2d July, 1855.

HONGKONG.

ANNO DECIMO NONO VICTORIÆ REGINÆ.

No. 3 of 1856.

By His Excellency SIR JOHN BOWRING, Knight, LL.D., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, Her Majesty's Plenipotentiary and Chief Superintendent of the Trade of British Subjects in China, with the Advice of the Legislative Council of Hongkong.

An Ordinance to declare certain Acts of the Imperial Parliament to be in force in the Colony of Hongkong. — Title.

[29th January, 1856.]

Whereas it is expedient that the Provisions of certain Acts of the Imperial Parliament should be adopted in this Colony: Be it therefore enacted and ordained by His Excellency The Governor of Hongkong, with the Advice of the Legislative Council thereof, that the Three Acts of Parliament, the Titles of which are set forth in the Schedule hereunto annexed, shall, from and after the passing of this Ordinance, be in force in this Colony, so far as the same are applicable thereto. — Preamble. — Three Acts of Parliament enumerated in Schedule annexed, to be in force in the Colony.

JOHN BOWRING.

Passed the Legislative Council of Hongkong,
this 29th Day of January, 1856.

L. D'ALMADA E CASTRO,
Clerk of Councils.

Schedule of the Three Acts of Parliament to which this Ordinance refers.

6 & 7 Victoria, cap. 83.—"An Act to amend the Law respecting the Duties of Coroners."
9 & 10 Victoria, cap. 24.—"An Act for removing some Defects in the Administration of Criminal Justice."
11 & 12 Victoria, cap. 46.—"An Act for the Removal of Defects in the Administration of Criminal Justice."

No. 12.

GOVERNMENT NOTIFICATION.

It having been notified in the *London Gazette* of August 17th, 1855, that "the Chinese Passengers' Act 1855" has received the Royal Assent, His Excellency The Governor is pleased to direct the publication of the same for general information.

This Act will therefore be enforced from this date, and the Emigration Officer has been instructed accordingly.

By Order,

W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 25th January, 1856.

ANNO DECIMO OCTAVO & DECIMO NONO VICTORIÆ REGINÆ.

CAP. CIV.

An Act for the Regulation of Chinese Passenger Ships.

[14th August, 1855.]

Whereas Abuses have occurred in conveying Emigrants from Ports in the *Chinese* Seas: And whereas it is expedient to prevent such Abuses: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of certain Terms herein mentioned.

I. In the Construction of this Act, the Term "*Chinese* Passenger Ship" shall include every Ship carrying from any Port in *Hong Kong*, and every *British* Ship carrying from any Port in *China* or within One hundred Miles of the Coast thereof, more than Twenty Passengers, being Natives of *Asia*; the Word "Colony" shall include all Her Majesty's Possessions abroad not being under the Government of the *East India* Company; the Word "Governor" shall signify the Person for the Time being lawfully administering the Government of such Colony; the Term "Legistature of *Hong Kong*" shall signify the Governor and Legislative Council or other Legislative Authority of the same for the Time being; the Word "Ship" shall include all Sea-going Vessels; the Terms "Commander" and "Master" of any Ship shall include any Person for the Time being in command or charge of the same; the Term "Emigration Officer" shall include every Person lawfully acting as Emigration Officer, Immigration Agent or Protector of Emigrants, and every Person authorized by the Governor of any *British* Colony to carry out the Provisions of this Act; and the Term "*British* Consul" shall include every Person lawfully exercising Consular Authority on behalf of Her Majesty in any Foreign Port.

Legislature of Hongkong to make Regulations respecting Passenger Ships, &c.

II. It shall be lawful for the Legislature of *Hong Kong*, by any Ordinance to be by them enacted for that Purpose, to make Regulations respecting *Chinese* Passenger Ships, and, in the Case of *British* Ships, respecting the Treatment of the Passengers therein while at Sea; and until such Enactment, the Regulations contained in Schedule (*A.*) to this Act annexed shall be in force: Provided always, that no such Ordinance shall come into operation until Her Majesty's Confirmation of the same shall have been proclaimed in *Hong Kong* by the Governor thereof.

Governor of Hongkong to declare Length of Voyages.

III. It shall be lawful for the Governor of *Hong Kong* to declare, by Proclamation, for the Purposes of this Act and of the said Regulations, what shall be deemed to be the Duration of the Voyage of any *Chinese* Passenger Ship, and by such Proclamation to alter the Scales of Dietary, Medicines, and Medical Comforts contained in the aforesaid Schedule (*A.*)

No Chinese Passenger Ship to clear out on Voyage of more than Seven Days without Emigration Officer's Certificate and Copy of Regulations, nor until Bond be given to Crown.

IV. No *Chinese* Passenger Ship shall clear out or proceed to Sea on any Voyage of more than Seven Days' Duration until the Master thereof shall have received from an Emigration Officer a Copy of the aforesaid Regulations, and a Certificate in the Form contained in Schedule *B.* to this Act annexed, or in such other Form as may be prescribed by the said Legislature, which Copy and Certificate, with any Documents to be attached thereto (herein-after designated as Emigration Papers,) shall be signed by the said Emigration Officer, nor until the Master shall, with Two sufficient Sureties, to be approved by the said Emigration Officer, have entered into a joint and several Bond in the Sum of One thousand Pounds to Her Majesty, Her Heirs and Successors, in the Form contained in Schedule *C.* to this Act annexed, or in such other Form as shall be prescribed by the said Legislature.

Penalty of Bond, when recoverable.

V. The said penal Sum of One thousand Pounds shall be due and recoverable notwithstanding any Penalty or Forfeiture imposed by this Act or by the aforesaid Regulations, and whether such Penalties or Forfeitures shall have been sued for and recovered or not.

Commander of Ships of War, &c., may search Ships, or require Production of Papers.

VI. It shall be lawful for the Commander of any of Her Majesty's Ships of War, or for any Emigration Officer, Custom House Officer, or *British* Consul, to enter and search any *Chinese* Passenger Ship (being a *British* Vessel or within *British* Jurisdiction) so long as such Ship shall have any Passengers on board, and for Forty-eight Hours afterwards, and in case such Ship shall be engaged on a Voyage of more than Seven Days' Duration, to require the Production of the Emigration Papers of such Ship, and to examine all Persons on board of the same, in order to ascertain whether the Provisions of this Act and of the Regulations aforesaid have been complied with; and any Person who refuses to allow, attempts to avoid, or obstructs any such Entry, Search, or Examination, or who knowingly misleads or deceives any Person lawfully making any such Search or Examination, or who, being the Master of the Ship or having the Emigration Papers in his Custody, fails to produce the same when required as aforesaid, shall be deemed guilty of a Misdemeanor.

Penalty for Neglect to comply with Regulations, &c.

VII. In case of any Neglect or Refusal to comply with any of the Provisions of this Act or any of the Regulations aforesaid, or to perform any Stipulation in any of the Contracts made with the Passengers, the Master of the Ship, and any other Person who may have been guilty of or have aided or abetted such Neglect or Refusal, shall each be deemed for each Offence guilty of a Misdemeanor.

Ship to be forfeited for clearing without Emigration Papers, or for Forgery of such Papers.

VIII. If any *Chinese* Passenger Ship clears out or proceeds to Sea on any Voyage exceeding Seven Days in Duration without such Emigration Papers as aforesaid, or if the Emigration Papers of any *Chinese* Passenger Ship are forged or fraudulently altered, such Ship shall, if she is a *British* Ship, or if, not being a *British* Ship, the Offence is committed and the Ship is seized in Her Majesty's Dominions or in the Territories of the *East India* Company, be forfeited to Her Majesty.

Penalties in addition to Forfeiture.

IX. Every Person who commits or aids or abets in committing any Act or Default by which any *Chinese* Passenger Ship may become liable to Forfeiture shall be liable to a Penalty not exceeding One hundred Pounds for each Offence.

Mode of enforcing Forfeiture.

X. It shall be lawful for any Commissioned Officer on Full Pay in the Military or Naval Service of Her Majesty, or any *British* Officer of Customs, or any *British* Consul, to seize and detain any Ship which has become subject to Forfeiture as aforesaid, and bring her for Adjudication before the High Court of Admiralty in *England* or *Ireland*, or any Court having Admiralty Jurisdiction in Her Majesty's Dominions or in the Territories of the *East India* Company, and such Court may thereupon make such Order in the Case as it thinks fit, and may award such Portion of the Proceeds of the Sale of any forfeited Ship as it thinks right to the Officer bringing in the same for Adjudication, or to any Persons damaged by the Act or Default which has rendered the Ship liable to Forfeiture.

Officer not liable for any Seizure made on reasonable Grounds.

XI. No such Officer as aforesaid shall be responsible, either civilly or criminally, to any Person whomsoever in respect of the Seizure or Detention of any Ship that has been seized or detained by him in pursuance of the Provisions herein contained, notwithstanding that such Ship is not brought in for Adjudication, or, if so brought in, is declared not to be liable to Forfeiture, if it is shown to the Satisfaction of the Judge or Court before whom any Trial relating to such Ship or such Seizure or Detention is held that there are reasonable Grounds for such Seizure or Detention; but if no such Grounds are shown, such Judge or Court may award Payment of Costs and Damages to any Party aggrieved, and make such other Order in the Premises as he or it thinks just.

Fine may be substituted for Forfeiture.

XII. It shall be lawful for the Court before which any Ship liable to Forfeiture under this Act is proceeded against to impose such a pecuniary Penalty as to the same Court shall seem fit, in lieu of condemning the Ship, and in such Case to cause the Ship to be detained until the Penalty is paid, and to cause any Penalty so imposed to be applied in the same Manner in which the Proceeds of the said Ship, if condemned and sold by Order of the Court, would have been applicable.

Mode of Procedure in Criminal Cases.

XIII. All Misdemeanors and other Criminal Offences punishable under this Act shall be dealt with, tried, and judged of in the same Manner as Misdemeanors and other Offences punishable under the Merchant Shipping Act, 1854, and all the Rules of Law, Practice, or Evidence applicable to the last-mentioned Misdemeanors and Offences shall be applicable to Misdemeanors and other Offences under this Act.

Application of Penalties.

XIV. Any Court, Justice, or Magistrate imposing any Penalty under this Act for which no specific Application is herein provided may, if it or he thinks fit, direct the whole or any Part thereof to be applied in compensating any person for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty is imposed, or in or towards Payment of the Expenses of the Proceedings; and, subject to such Directions or specific Application as aforesaid, all Penalties recovered in the United Kingdom shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom; and all Penalties recovered in any *British* Possession shall be paid over into the Public Treasury of such Possession, and form Part of the Public Revenue thereof.

Written Declarations of Commanders, &c., primâ facie Evidence.

XV. In any legal Proceeding taken under this Act or in respect of the Bond herein-before required, any Document purporting to be the written Declaration of any *British* Consul, or of the Commander of any of Her Majesty's Ships of War, or to be a Copy of the Proceedings of any Court of Justice, shall, without any Proof of Signature, be received in Evidence, in case it shall appear that such Copy or Declaration, if produced in the United Kingdom, was

officially transmitted to One of Her Majesty's Principal Secretaries of State, or, if produced in any Colony, was officially transmitted to the Governor thereof: Provided always, that no Person making such written Declaration as aforesaid shall be capable of receiving a Share of any Penalty or Forfeiture which shall be procured by such written Declaration.

XVI. This Act may be cited for any Purpose whatever under the Name of the "*Chinese* Passengers Act, 1855." Short Title.

XVII. This Act shall come into operation as soon as it shall have been proclaimed in *Hong Kong* by the Governor thereof, or if not so proclaimed, on the First Day of *January* next ensuing. Commencement of Act.

SCHEDULE (*A.*)

Regulations respecting Chinese Passenger Ships.

Note.—The wilful and fraudulent Breach of any of these Regulations by the Person in charge of any Chinese Passenger Ship is punishable by Forfeiture of the Ship, and every Person concerned in such Breach is liable to a Fine of One hundred Pounds for each Offence.

I. No Chinese Passenger Ship shall clear out or proceed to Sea on any Voyage of more than Seven Days' Duration without a Certificate from an Emigration Officer; and such Certificate shall be in the Form provided by the Chinese Passenger Act, 1855.

II. No Emigration Officer shall be bound to give such Certificate in respect of any Chinese Passenger Ship till Seven Days after receiving Notice that the Ship is to carry Passengers, and of her Destination, and of her proposed Day of Sailing, nor unless there are on board a Surgeon and Interpreter approved by such Emigration Officer.

III. After receiving such Notice, the Emigration Officer shall be at liberty at all Times to enter and inspect the Ship, and the Fittings, Provisions, and Stores therein, and any Person impeding him in such Entry or Inspection, or refusing to allow of the same, shall be liable to a Fine of not more than One hundred Pounds for each Offence.

IV. The Emigration Officer shall not give his Certificate unless he shall be satisfied,—

1. That the Ship is sea-worthy, and properly manned, equipped, fitted, and ventilated; and has not on board any Cargo likely, from its Quality, Quantity, or Mode of Stowage, to prejudice the Health or Safety of the Passengers:

2. That the Space appropriated to the Passengers in the 'Tween Decks contains at the least Twelve Superficial and Seventy-two Cubical Feet of Space for every Adult on board; that is to say, for every Passenger above Twelve Years of Age, and for every Two Passengers between the Ages of One Year and Twelve Years:

3. That a Space of Five Superficial Feet per Adult is left clear on the Upper Deck for the Use of the Passengers;

4. That Provisions, Fuel, and Water have been placed on board of good Quality, properly packed, and sufficient to supply the Passengers on board during the declared Duration of the intended Voyage, according to the following Scale:

DIETARY SCALE.

Rice,	lb	1½ per diem.
Salted Provisions.—		
Wholly Pork; or		
⅔ Pork and ⅓ Fish; or	„	½ do.
½ Pork, ¼ Beef, and ¼ Fish		
Salted Vegetable or Pickles	„	½ do.
Water	Imperial Quarts	3 do.
Firewood	lb	2 do.
Tea	oz.	½ do.

5. That Medicines and Medical Comforts have been placed on board according to the following Scale:

SCALE OF MEDICINES AND MEDICAL COMFORTS:

For every 100 *Passengers, and in like Proportion for any greater or less Number.*

Calomel,	3 oz.	Senna Leaves,	8 oz.
Blue Pill,	2 „	Blistering Plaister,	8 „
Rhubarb Powder,	2 „	Sulphur Sublimed	16 „
Compound Jalap Powder,	12 „	Sulphur Ointment,	12 „
Ipecacuanha Powder,	12 „	Linseed Flour,	4 lb
Opium,	2 „	Country Soap,	24 oz.
Dover's Powder,	2 „	Castor Oil,	6 Bottles.
Magnesia,	2 „	Oil of Peppermint,	2 oz.
Epsom Salts,	6 lb	Adhesive Plaister, spread,	2 Yards.
Chloride of Lime,	20 „	Simple Ointment,	16 oz.
Tartar Emetic,	4 Drams.	Ringworm Ointment,	16 „
Quinine,	2 oz.	Jeremie's Opiate,	2 oz. Phial.
Antimonial Powder,	0½ „	Aromatic Spirits of Hartshorn,	4 „
Extract of Colocynth, Compound,	1 „	Cholera Pills in Phial,	12 Drams.
Carbonate of Ammonia,	1½ „	Cubebs Powder,	4 lb
Assafœtida,	1 „	Sweet Spirits of Nitre,	16 oz.
Camphor,	1½ „	Copaiba,	16 „
Camphorated Liniment,	16 „	Sulphate of Copper,	2 „
Catechu,	2 „	Sulphate of Zinc,	1 „
Prepared Chalk,	2 „	Lunar Caustic,	4 Drams.
Tincture of Opium,	8 „	Lime Juice,	36 Quarts.
Turpentine,	16 „	Rum or Brandy,	36 „

INSTRUMENTS, &c.

1 Set of Amputating and other Surgical Instruments (if there be any Person on board competent to use them).	1 Spatula.
1 One Ounce Glass Measure.	1 Dressing Scissors.
1 Minim Glass Measure.	1 Infusion Box.
1 Pestle and Mortar (Wedgewood).	1 Quire of Country Paper.
1 Set of Weights and Scales (Grains in box).	1 Penknife.
1 Set of common Splints.	2 Metal Bed Pans.
1 Set of Bleeding Lancets.	2 Trusses for Hernia, Right and Left.
1 Silver Catheter.	2 Small Syringes.
	4 Ounces prepared Lint.
	2 Pieces Cloth for Bandages.

V. The Master of any Chinese Passenger Ship being a British Ship and proceeding on a Voyage of more than Seven Days' Duration shall, during the whole of the intended Voyage, make Issues of Provisions, Fuel, and Water, according to the aforesaid Dietary Scale, and shall not make any Alteration, except for the manifest Advantage of the Passengers, in respect of the Space allotted to them as aforesaid, or in respect of the Means of Ventilation, and shall not ill-use the Passengers, or require them (except in case of Necessity) to help in working the Vessel; and shall issue Medicines and Medical Comforts, as shall be requisite, to the best of his Judgment, and shall call at such Ports as may be mentioned in the Emigration Officer's Clearing Certificate for fresh Water and other Necessaries; and shall carry them without unnecessary Delay to the Destination to which they have contracted to proceed.

VI. The Emigration Officer shall not give his Certificate until he shall have mustered the Passengers, and have ascertained to the best of his Power that they understand whither they are going, and comprehend the Nature of any Contracts of Service which they have made; he shall also take care that a Copy of the Form of such Contracts, or an Abstract of their Substance, signed by himself, is appended to the said Certificate: If any of the Passengers are in bad Health, or insufficiently provided with Clothing, or if the Contracts are unfair, or if there is Reason to suspect that Fraud or Violence have been practised in their Collection or Embarkation, he may detain the Ship, and, if he shall think fit, may order all or any of the Passengers to be re-landed.

SCHEDULE (*B.*)

Emigration Officer's Certificate, &c.

I hereby authorize the Chinese Passenger Ship to proceed to Sea for the Port of in ; and I certify that the said Ship can legally carry Adults, and that there are on board Passengers, making in all Adults, viz., Men, Women, Male Children, and Female Children, such Children being between the Ages of One and Twelve Years; that the Space set apart and to be kept clear for the Use of such Emigrants is as follows:—On the Upper Deck, Superficial Feet, being [*here describe the Space*], and in the Between Decks Superficial Feet, being [*here describe the Space*]; that the Ship is properly manned and fitted, and that the Means of ventilating the Part of the Between Decks appropriated to Passengers are as follows, [*here describe the Means of Ventilation*]; that the Ship is furnished with a proper Quantity of good Provisions, Fuel, and Water for Days' Issues to the Passengers according to the *annexed Dietary Scale, and with a proper Quantity of Medicines, Instruments, and Medical Comforts according to the *annexed Scale of Medical Necessaries; that I have inspected the Contracts between the Emigrants and their intended Employers (the Terms of which are annexed to this Certificate), and consider them reasonable; that no Fraud appears to have been practised in collecting the Emigrants; and that there are on board a Surgeon †[and Interpreter] approved by me, and designated [respectively and] ‡[The Master of the Ship is to put into and for Water and fresh Vegetables.]

(Signed)

Emigration Officer.

Dated this Day of 18 .

* These Scales must be those prescribed by the Regulations in Schedule *A.*

† In case the Ship has been authorized to proceed without an Interpreter, omit the Part between Brackets, and add "and that the Ship has been authorized to proceed without an Intrepreter."

‡ The Part between Brackets is to be inserted or not, as may be required.

SCHEDULE (*C.*)

Form of Bond to be given by the Masters of Chinese Passenger Ships.

Know all Men by these Presents, That we are held and firmly bound unto our Sovereign Lady Queen Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, in the Sum of One thousands Pounds of good and lawful Money of Great Britain, to be paid to our said Sovereign Lady the Queen, Her Heirs and Successors; to which Payment, well and truly to be made, we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, Administrators, and every of them, firmly by these Presents.

Sealed with our Seals.

Dated this Day of 18 .

Whereas by the Chinese Passenger Act, 1855, it is enacted, that before any Chinese Passenger Ship shall clear out or proceed to Sea on a Voyage of more than Seven Days' computed Duration, the Master thereof shall, with Two sufficient Sureties to be approved by an Emigration Officer, enter into a Bond to Her Majesty, Her Heirs and Successors, in the Sum of One thousand Pounds.

Now the Condition of this Obligation is this, that if (in respect of the Ship , whereof is Master) all and every of the Requirements of the said Chinese Passenger Act, and of the Regulations contained in Schedule (*A.*) to the said Act annexed, or enacted by the Legislature of Hongkong, shall be well and truly observed and performed [*in like Manner as the same ought to be observed and performed in case the said Ship were a British Ship, and the said a British Subject], then this Obligation to be void, otherwise to remain in full Force and Effect.

Signed, sealed, and delivered by the above-bounden and , in the Presence of

* This Clause to be inserted only in the Case of a Foreign Chinese Passenger Ship.

No. 13.

PROCLAMATION.

JOHN BOWRING.

By His Excellency Sir John Bowring, Knight, LL.D., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, Her Majesty's Plenipotentiary, and Chief Superintendent of the Trade of British Subjects in China.

Whereas by an Act of the Imperial Parliament of Great Britain and Ireland passed in this the Eighteenth and Nineteenth Years of Her Majesty's Reign, entitled *An Act for the Regulation of Chinese Passenger Ships*, under the third clause thereof it is enacted, that "it shall be lawful for the Governor of Hongkong to declare by Proclamation "for the purposes of this Act, what shall be deemed to be the duration of the Voyage of any Chinese Passenger Ship:"—

Now therefore I, Sir John Bowring, Governor as aforesaid, by this my Proclamation issued for that purpose, do declare that the following shall be the Rule of Computation by which the Length of the Voyage of any Ship carrying Chinese Passengers from Hongkong to the several Places hereinafter mentioned shall be computed, for the purposes of the Act above referred to; that is to say:—

Passage from Hongkong to the undermentioned Places for Ships propelled by Sails.

	IN THE MONTHS *October to March.* (both inclusive.)	*April to September.* (both inclusive.)
California or West Coast of America, North of the Equator,	100 days.	75 days.
West Coast of America South of the Equator,	120 „	120 „
Sandwich Islands,	75 „	56 „
New Caledonia, New Hebrides, Feejee Islands, Tahiti, Society or Friendly Islands,	100 „	100 „
Sydney, Melbourne, or South Australia,	60 „	80 „
Western Australia,	45 „	60 „
Van Diemen's Land,	65 „	80 „
New Zealand,	75 „	90 „
Manila,	20 „	20 „
Singapore,	20 „	45 „

	IN THE MONTHS October to March. (both inclusive.)	April to September.
Batavia,	30 days.	60 days.
Ceylon,	45 „	70 „
Madras or Calcutta,	50 „	75 „
Bombay,	60 „	80 „
Mauritius or Bourbon,	60 „	80 „
Cape of Good Hope,	65 „	85 „
West Indies, or East Coast of America,	147 „	168 „
Great Britain or Europe,	162 „	184 „
Siam,	20 „	45 „

Given under my hand and Seal of the Colony, at the Government Offices, Victoria, Hongkong, this 26th Day of January in the Year of Our Lord One Thousand Eight Hundred and Fifty-six, and in the Nineteenth Year of Her Majesty's Reign.

[L.S.] By His Excellency's Command,

W. T. MERCER,
Colonial Secretary.

GOD SAVE THE QUEEN.

No. 14.

GOVERNMENT NOTIFICATION.

THOMAS CHISHOLM ANSTEY, Esquire, having this day reported his arrival in the Colony, is appointed Attorney General of Hongkong by virtue of a Warrant under the Royal Sign Manual.

By Order,

W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 30th January, 1856.

No. 15.

GOVERNMENT NOTIFICATION.

It is hereby notified, that in consequence of the continued indisposition of the Honorable The Chief Justice, His Excellency The Governor has, under his hand and Seal of the Colony, and in accordance with Clause V. of Ordinance No. 6 of 1845, appointed THOMAS CHISHOLM ANSTEY, Esquire, Attorney General, to sit in the place of the said Chief Justice, and hear and determine such Suits as may be brought before him under the Summary Jurisdiction of the Supreme Court, on Friday next, the 1st proximo, and following days, until all such cases shall be by him adjudicated and determined.

By Order,

W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 30th January, 1856.

No. 16.

GOVERNMENT NOTIFICATION.

His Excellency The Governor and Commander-in-Chief has been pleased to appoint THOMAS CHISHOLM ANSTEY, Esquire, Attorney General, to a Seat in the Legislative Council of this Colony, pending the Pleasure of Her Majesty's Government.

The Honorable THOMAS CHISHOLM ANSTEY, Esquire, has been this day sworn in accordingly.

By Order,

W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 31st January, 1856.

POST-OFFICE NOTIFICATION.

THE following Instructions received from His Lordship THE POST-MASTER GENERAL, dated 20th November 1855, are published for general information, viz:—

"By the provisions of a Treasury Warrant dated the 10th Instant, a Rate of One Penny, British Postage, will henceforth be chargeable upon every Newspaper, whether British, Colonial, or Foreign, forwarded by the Post, otherwise than through France, from Hongkong for delivery in the United Kingdom.

"Upon Newspapers received from Hongkong, viâ Marseilles, Postage will be collected in the United Kingdom as heretofore.

"I have to desire, therefore, that you will in future *collect in advance* this rate of One Penny upon all Newspapers addressed to the United Kingdom, and transmitted viâ Southampton or by any other route than France."

WM. CHAPMAN,
Acting Post-Master.

Post-office, Hongkong,
31st January, 1856.

NOTICE.

MR R. P. DE SILVER is this day admitted a Partner in our Firm, and will take charge of the NEW YORK Branch Establishment.

DE SILVER & Co.

Hongkong, 1st January, 1856.

Steam for
SINGAPORE, PENANG, POINT DE GALLE, ADEN, SUEZ, MALTA, MARSEILLES, & SOUTHAMPTON;
Also,
BOMBAY, MADRAS, & CALCUTTA.

THE PENINSULAR & ORIENTAL STEAM NAVIGATION COMPANY'S Steam-ship "*CADIZ*," Captain BAKER, with *Her Majesty's Mails, Passengers, Specie*, and *Cargo* for the above Places, will leave this on *FRIDAY, the 15th February next*, at 2 P.M.

CARGO will be received on board until 5 P.M. on the 13th, SPECIE until Noon on the 14th, and PARCELS until 2 P.M. on the 14th.

For Particulars regarding FREIGHT and PASSAGE, apply at the Peninsular & Oriental Steam Navigation Company's Office, Hongkong.

CONTENTS, AND VALUE OF PACKAGES, ARE REQUIRED.

A Written Declaration of the Contents and Value of the Packages for the Overland Route is required by the Egyptian Government, and must be delivered by the Shipper to the Company's Agents with the Bills of Lading or with Parcels; and the Company do not hold themselves responsible for any Detention or Prejudice which may happen from incorrectness in such declaration.

ROB. S. WALKER,
Superintendent.

Peninsular & Oriental
Steam Navigation Company's Office,
Hongkong, 30th January, 1856.

POST-OFFICE NOTIFICATION.

THE next GENERAL MAILS per "*Cadiz*," will be closed on *THURSDAY*, the *14th February*, at 6 o'clock, P.M.; and the Customary SUPPLEMENTARY MAIL will be made up the following Morning between the hours of 9 and 10 o'clock.

WM. CHAPMAN,
Acting Post-Master.

Post-office, Hongkong,
1st February, 1856.

NOTICE.

NORTHERN ASSURANCE COMPANY.
(Established 1836.)
Incorporated by Act of Parliament,
FOR FIRE AND LIFE ASSURANCE AT HOME AND ABROAD.
CAPITAL £1,259,760 STERLING.

THE undersigned have been appointed AGENTS at *Hongkong, Canton*, and *Shanghae*.

TURNER & Co.

Medical Advisers.
For Hongkong,—W. A. HARLAND, M.D.
For Canton,—WALT. GEO. DICKSON, M.D.

Hongkong, 9th August, 1855.

NOTICE.

THE Interest and Responsibility of MrC. VICTOR BESSIERES in our Firm ceased on the 31st December last.

DIMIER BROTHERS & Co.

Canton, 1st January, 1856.

RELIANCE MARINE INSURANCE OFFICE.

ESTABLISHED IN CALCUTTA, IN 1842.

CAPITAL, Co.'s RS.6,00,000.

DIVIDED INTO SIXTY SHARES OF COMPANY'S RS.10,000 EACH.

Registered under ACT XLIII of 1850.

COMPANY'S RUPEES 173,000 INVESTED IN THE FOUR PER CENT LOANS, IN THE NAMES OF THE DIRECTORS.

MESSRS ALEXR. A Co., *Secretaries in Calcutta.*

Agents.

Messrs T. A. DEVIS & Co., *St Helen's Place, London.*
" STREET, NOT & JOAQUIM, *Singapore,*
" JORDAN & Co., *Rangoon,*
T. R. RICHMOND, Esq., *Bombay.*
A. A. ANTHONY, Esq., *Penang.*

POLICIES on Goods, Freight, and Treasure, granted by the undersigned to *all parts of the World.*

Y. J. MURROW.
Agent in China.

SMITH & BRIMELOW,
SHIP CHANDLERS,
Wholesale and Retail Wine and Spirit Merchants, Auctioneers, and Commission Agents,
Nos. 1 & 2 Wesseman's Buildings.

HAVE always on hand an Assortment of SHIP CHANDLERY STORES of every kind.

Also,

An extensive and well-selected supply of WINES, BEER, and SPIRITS, LIQUEURS, CORDIALS, &c., of a superior description.

OILMAN'S STORES from the well known house of *Copland, Barnes & Co.*; also, STORES per Overland Mail Steamers *Monthly* for domestic purposes.

Hongkong, 7th July, 1855.

NOTICE.

FREDERICK BLOCK, Esq., is my ATTORNEY in China during my absence therefrom.

W. T. BRIDGES.

15th January, 1856.

Mr. JAMES BROWN,
Notary Public,
Messrs GASKELL & BROWN,
Solicitors, Notaries Public, &c.,
Queen's Road, Victoria.

NOTICE.

MR CHARLES GUYE is authorized to sign our Firm in China per Procuration.

DIMIER BROTHERS & Co.

Canton, 1st January, 1856.

NOTICE.

MR JAMES McCORMICK is authorized to sign our Firm per Procuration.

ALVORD & Co.

Canton, 12th January, 1856.

CARD.

CHARLES MARKWICK,
Government and Supreme Court Auctioneer and Appraiser,
and
GENERAL STOREKEEPER,
Queen's Road, Victoria, Hongkong.

Established 1849.

Printed at the Office of the China Mail, Hongkong.—PRICE, $12 per Annum. Single Copies, Thirty-six Cents.

TERMS OF ADVERTISEMENTS.—Five Lines and under, One Dollar; each additional Line, Twenty Cents—One-half of these charges for each Repetition.

Proclamation issued by the Scholars and Merchants of Amoy.

Notice, being an exposure of, for the purpose of counteracting, the artifices of hardened miscreants who impose on the people and seduce them to their destruc=tion.

From the time that the barbarians began to trade at Amoy, they have had the practice of buying peo=ple to sell again, subjecting those guiltless of crime to cruel treatment, and employing evil-disposed and traitorous natives to entice away peaceable people. These agents, styled brokers, con=sisting of some scores intimately leagued to=gether, would attach to themselves several hundreds of others, and removing all restraint from their inordinate cupidity, would follow the course of their interest wherever it might lead, without any scruple. They have daily in the country, along the coast, sought about in all directions for persons whom they might entice away, with the end of making gain for themselves by the detriment of others. By the prospect of minute advantage they drew away lonely and destitute persons, while they held out alluring baits to seduce the younger members of settled fam=ilies. Their tricks were innumerable, and they

would dexterously conceal their real designs. They would pretend to hire their victims for employment by which they might realize a livelihood, and then drive them into the pits prepared; or they would cheat them with promises of advantage (here some Malay words are used which are unintelligible) and thus get them within their power; or perhaps would invite them to travel and divert themselves, and so urge men to destruction. Every kind of abomination they were addicted to. The ignorant country-people have many times been lost in numbers. From souls so abandoned to covetousness every spark of innate right feeling must have departed.

The men being consigned to barbarian houses and ships are publicly sold. When once amongst them they cannot understand their gibberish, and they are kept in close confinement. They may implore Heaven, and their tears may wet the the earth, but their complaints are uttered in vain. When carried to the barbarian regions, day and night they are impelled to labour, without intervals even for sleep. To advance or retreat is equally impossible to them: death is their sole relief.

Moreover, they can transmit or receive no intelligence; none knows whether they be alive or dead, and the hearts of their parents and families are torn with anxiety. The succession of their families is cut off, an injury for which nothing can atone. Alas! those who living were denizens of the central flowery country, dead, their ghosts wander in

strange lands. O, ayun Heaven above! in this way are destroyed our righteous people.

Our present suggestion is, that the benevolent and respectable public shall unite in exercising their influence to repress these practices. Let fathers caution their sons, and elder brothers their younger brothers, for seeing the evil, and guarding against it. Let none misguidedly lend themselves to promote the schemes of wicked traitors. Let us mutually warn each other, and point out to all men the roads which, of life to one, are of death to ten thousand. We venture as above to express our humble, but sincere and heartfelt sentiments, trusting that they may receive the consideration of the public.

Notification by the scholars and merchants of Amoy.

A true translation

(Signed) M. C. Harrison

Can the following facts be tolerated?

Man being born of heaven and earth, who is without a father and a mother, and who is not either a man or a woman? then how can they be deceived by men, and fall into their snares?

Now I saw in the Port of Macao innumerable pieces engaged in the traffic of buying and selling Chinese; and I know this to be the fact from personal knowledge and observation.

There are already in existence five places vulgarly called "Chu tsze Kwan, or "Pig Pens"; one at Awa Wang Kee; one at Pak Ma Hong; one at Aia Wan Kee; one at San Tsing Lou under the sign of Tsung Kai Kee; but the one that has the most men is at Sha Lan Tsze.

Each barracoon procures its men from swindlers, who obtain them through deception. The price they pay for each head is eight dollars. They frequently purchase and keep them in readiness; so that one of these barracoons may have several tens of men, and another several hundreds. They wait to embark together, and all are shipped to foreign

Countries

countries, where they are resold for perhaps
over a hundred dollars per head.
After their persons are thus sold, they
then turn the bodies of the Chinese
into fish baits, by which Biche de Mar
is obtained, or make use of their persons
as beasts of burden, in which Capacity
they undergo all the hardships incident
to the clearing of wild lands; or else
they place their persons in the breast of
an engagement, where they have to bear
the hazards of the cannon. Besides,
there are other unknown evils in their
becoming slaves to foreigners, and their
being used by them at their own will,
evils too of many forms.

But how are these men reduced?
Plainly because at the outset, they are
often taken in by swindlers, who would
address them as follows:

"I have a relation who keeps a
Carpenter's shop at Macao; he is desirous
of employing a cook; by my recommending
you to his shop, you will receive in
the first year, a few mace per month
for your wages; your apprenticeship will
expire at the end of three years; in
that case your monthly wages will

be

be four dollars." Upon seeing a neat and slender fellow, he would say, "I should like to recommend you to a foreign house as a servant." Meeting with the stout and strong, he would say "there are men who would furnish you with a capital, and I should like to go with you to California."

Finding his victim wealthy, talented, and young, he would accost him and say, "I should like to accompany you to see the sights, and take you with me to a refreshment room."

Thus he watches opportunities and adapts himself to circumstances, employing moreover numerous plans and schemes, which cannot be discovered and stated, to seduce his victims. When once the simpleton credit his fair speeches, they are then forthwith accompanied by him through Sih King Kai (Howqua's street) in Canton, where they step on board a Macao fast boat, that serves as a jail for criminals.

On the next day, they are hurried down to Macao where upon landing, they repair to the barracoons; there they are taught what to say, and as they pass.

pass muster or examination, they are not permitted to cry aloud. If any foreigner should question them, each is obliged to say, that he is poor, and cannot see his way to obtain a livelihood, and that he take pleasure in selling his person. But if any should disobey these instructions, the scolding and the lash would inevitably be increased.

Though some who reached this hell of earth against their own inclinations, yet they could not help it: for this reason some undertook to escape by climbing over walls, but were recaptured by foreign devils, and were accordingly flogged to death before all the rest as a warning. In one of these barracoons, some have even gone so far as to commit suicide by hanging themselves. I have known of ten such cases.

But some of those who perished deserve pity, others do not. Those who do not, were the rebels found among them. Since we could not decapitate them for their crimes, still we may thank their enemies for having put an end to them. But those who deserve pity were some virtuous private citizens found among them

who

who never could return to serve their parents and were hopeless as regards supporting their wife and children. If I still desire to harbor and suppress such fact as these, how can I face heaven and earth?

Therefore whenever an individual is missing, first let a notice be issued and search be made at different places; then one ought to repair immediately to the barracoons at Macao, and solicit a foreigner to make an enquiry of the superintendent of the "pigs" as to which of the barracoons the missing person was sold. He assuredly can be seen, and his whereabouts known. The superintendant of the "pigs" will of course demand the sum of four dollars for the passage and board, before he would allow the person to be redeemed. Should he be dissatisfied with this sum, one ought then by all means to go to the Senate of Macao for consultation. The foreign magistrate will undoubtedly decide the matter according to equity; he takes no fee for it; he is able to deliver the person back, but if the man had passed over to the hands of foreigners, it would be

difficult

difficult to recover him. I have experienced all these things myself, there is nothing empty in what I say.

If every parent and friend should circulate this matter far and wide, and admonish the wealthy, the talented, the sons, and the nephews who live in the neighboring villages, to be particularly on their guard; if in like manner the poors who hire themselves out as domestic servants, together with motherless children should be treated with greater compassion and be made fully acquainted with my advice; should these things be done, till on us this both those of who are of age should escape the danger that besets them, and those who are under age would not bear deception, then this anonymous effort of mine will be of infinite service.

Respectfully submitted by
The youths assistant and one
who cannot endure these facts.
Canton.

N.B. This paper was first published in Canton in Oct. 1855 and recently a second edition of 3000 copies has been circulated.

Translator.

Despatch No 4.
Enclosure F.

Government House Hong Kong
12th January 1856.

W. Gwathmey Esq
Lieut Commanding U.S.S. Macedonian
Sir.

In accordance with my instructions and the understanding between the State & Navy Departments at Washington, in the absence of the Senior Officer Commanding the U.S. Naval Forces in China, I am under the necessity of applying to you for the assistance I need in my official capacity. As you are aware I arrived at Hong Kong on the 31st ult, where I have been receiving the hospitality of H.E. the Governor of this colony. Circumstances I could not control, have protracted my stay beyond my wishes & convenience, and will continue to detain me here till the departure of the mail on the 15th inst, after which I cannot with propriety remain, and I have now respectfully & urgently to request - if consistent with your views of duty - that you will afford me & my suite a conveyance in the U.S. Ship Macedonian under your command, to Macao, where I shall temporarily establish the Legation, as soon as the mail shall have been despatched.

Under

Under ordinary circumstances, in the anticipation of the early arrival of Capt Pope, Senior Officer to whom I am most desirous of acting on public business - I would await that event but such is my situation that I have no alternative but to make this application to you, & shall be much pleased by your compliance with my request; and I have little doubt the same may be done, & you still be able to return in season to meet Capt Pope on his arrival on the 18th or 19th inst.

I have the honor to be. Sir
Very Respectfully
Your Obed't Serv't
Signed Peter Parker

U.S. Ship, Macedonian,
13th January, 1856.

Sir,

I have the honor to acknowledge receipt of your communication of 12th inst, requesting a passage to Macao in this ship. The arrival of Captain Pope in the Vandalia, yesterday evening, has precluded me from all action in the matter, and I have delivered to him your communication for his decision.

I have the honor to be,
Very respectfully,
Your obedient servant,
H Eastburn
Lieut Comdg

Dr Peter Parker,
Minister Plenipotentiary to China,
Government House,
Hong Kong.

Lieut Jonathan Dey
10th Jany 1866

U. S. Ship Macedonian
Hong Kong January 14th 1856

My dear Sir.

— Your communication of the 12th inst. to Lieut. Grathney, applying for conveyance to Macao in the Macedonian is before me. I have instructed the Commander of the Vandalia to have that ship got ready for sea; and when ready will with pleasure give you a passage to that port.

I think the Vandalia will prove more agreeable to you than the Macedonian, as her light draft of water will enable her to approach nearer the town, by several miles.

Allow me to congratulate you on your return to China as our Minister. A late letter from Mrs Pope informs me of her having had the pleasure of seeing your good lady at our house in October last, in good health.

I will do myself the pleasure to call on you if possible in the course of the day.

I am
With great respect
Very Truly Yours
Jno Pope

His Excellency P. Parker
U. S. Minister to China.
Hong Kong

Capt. J. Pope.

14th January 1836.

Confidential.

No. 5

Legation of the United States.
Macao 12th February 1856.

His Excellency.
Honorable W. L. Marcy
Secretary of State.
Washington.

Sir.

I have the honor to inform you that I arrived in Macao Roads on the 23rd ultimo, and landed on the morning of the 24th.

Nothing could be more gratifying than the civilities I have received at the hands of the British, Portugues, and United States officials, civil and naval.

On leaving Hong Kong on the morning of the 23rd ult. His Excellency Sir John Bowring, Governor of the Colony accompanied me to the place of embarkation, where a guard of honor under command of Colonel Graham, Commandant of the garrison awaited us, and the Macedonian's barge with Lieutenant Watters, was in readiness to receive us. A salute was given from

from the Governor's Fort. and returned by the "Vandalia". His Excellency Rear Admiral, Sir James Stirling, accompanied by his Flag Capt. Wilson, and private Secretary, came on board the "Vandalia" to pay their respects to the "American Commissioner". His Excellency was saluted on leaving, by the "Vandalia", which was soon returned by the Winchester, the Flag ship, and at the "Vandalia" weighed anchor, the Admiral's Band struck up, "Hail Columbia".

The day previous, H. E. Sir James Stirling called upon me, and offered to place at my convenience, one of the Steamers under his command, in case I should require her services to communicate with Canton, Hong Kong, and Macao in the absence of United States vessels of war. Of the friendly and courteous attention of Governor Bowring, I cannot speak in too high terms.

On leaving the "Vandalia" to land at Macao, the yards were manned, and a salute given, which was responded to by the Macao Fort as I landed, where

a

a guard of honor had been placed by the Governor to receive me. My special acknowledgements are also due to Capt. Pope of the U. S. Ship Macedonian, for all his courteous attentions, as well as to our Naval officers generally. My intercourse with Monsr. Le Comte René de Courcy, French Chargé d'Affaires and Comte Kluzkowski of that Legation has been of the most agreeable character.

The friendly sentiments with which my return to China, has been greeted by my fellow countrymen are very grateful to my feelings, and all of the above, not unimportant in its bearing upon the Chinese Government and people, as respects a favorable influence over them, and in a confidential form, I have deemed the foregoing particulars not unworthy of communication to the Department.

With sentiments of distinguished consideration and regard, I have the honor to be, Sir,

Your Excellency's
Most Obedient Servant

Peter Parker

Rec'd 21. April. Mr Derrick

No 6. United States Legation.
Macao 13th Feb 1856

His Excellency
W. L. Marcy
Secretary of State. Washington

Sir

I hasten to enclose you by this Mail, two despatches just received, (A. and B.) from the Consulates at Shanghai and Fuh-chow. The former gives a fair prospect of the early settlement of the Duty question, but presents anew the embarrassment from the absence of Consular judicial Power. The latter indicates the very unsatisfactory state of affairs at the Port of Fuh-Chow. However soon after the date of it, my Despatch of the 30th ult. to the Viceroy of the Provinces of Fuh-Kien and Chekeang will be received and I trust a remedy be applied by His Excellency.

This will be sent via Marseilles. Voluminous despatches were sent yesterday. Via Southampton.

With great respect I remain, Sir
Your Excellency's
Obedient Servant
Peter Parker

Copy.

A. Despatch No. 6.

United States Consulate
Shanghai February 6th 1856.

To The
Honorable Peter Parker
United States Commissioner
and Minister Plenipotentiary
&c. &c. &c. &c.
Hong Kong.

Sir.

I have the honor to acknowledge the receipt of your despatch dated at Hongkong January 19th with its enclosures. I immediately forwarded your letter to Governor Keih and caused a translation of the copy to be sent to the Law Taotai and to Hoo Lehe Taotai. I also wrote these Authorities according to instructions of R. C. Murphy Esq. United States Consul, tendering the bills Sterling a full satisfaction for all claims against American Merchants at Shanghai for Import, Export and Tonnage dues accruing from the 7th of September 1853 to the 12th of July 1854. informing them at the same time that it was thought necessary that so much of the award of the Honorable Mr McLane

as

as was not covered by these bills sterling should be left for Mr Murphy to settle on his return to Shanghai, which he informed me would be in less than eight months. I have received an Answer from Lau the present Taotai in which he informs me that Hoo late Taotai is now absent from Shanghai. and will not return until after the Chinese New Year, but that he has written to him (Hoo) acquainting with the decision of the United States government in the case.

Lau Taotai expresses himself willing to receive the money on the terms indicated, and I have no doubt but the matter will be settled at an early day.

Enclosed I have the honor to forward for your inspection the Complaint and evidence against two seamen claiming to be American Citizens charged with having committed robbery at Ningpoo. I also enclose the statement of two respectable Merchants of this place on the same case.

The men Woodman and Gilfillan have been sent here by Dr Macgowan of Ningpoo with the request that I would

take

take care of them, and I have the honor to enquire how far the Acting Vice Consul is authorized in such cases. The decision of the Honorable Secretary of State is that United States Consuls cannot delegate their judicial authority to Vice Consuls, so that I have felt that I had not authority to act in this case and still not feeling willing to incur the responsibility of refusing to receive this man. I have adopted the course that seemed to me best. One of the men being well known here found no difficulty in obtaining good satisfactory bail, and he has been released from confinement, on the condition that his bail should be forfeited if he leaves Shanghai. The other is still in confine-ment, but will be released on bail, if he is able to procure it. Cases like the above are frequently brought before the Vice Consul at this port, and it is very desirable that some (thing?) definite should be laid down for his guidance.

Trusting we may soon have the pleasure of welcoming you soon to Shanghai,

I have the honor to be very respectfully

Your Obedient Servant

(signed) Ad. H. Fish.

Act. Vice Consul

Copy. B. Despatch No 6

No 4. United States Consulate
Foo-Chow-foo. Jan. 31st 1856.

My dear Sir,

I have the honor to acknowledge the receipt of yours of the 19th inst. in relation to the stoppage of the duties at this Port and shall govern myself accordingly. It was a measure which I had no wish to adopt, although strongly advised to do so, by the late Commodore Abbot. It would have met with the approbation of every American Merchant at this port, and I believe would have accomplished the object sought for. Your letter reached me just in season to prevent the trial, of which I am most glad. Every Effort to conciliate the Authorities at this place, and induce them to perform their part of the Stipulations of the Treaty has failed. Our Merchants have been subjected to new and injurious restrictions upon their trade, by the levy of an additional inland tax, of six mace upon every picul of tea. Robbed of their money, and the men in their employ brutally murdered in the most cruel manner, with, in my opinion, the sanction of the

Authorities

Authorities in this Province. They have for months, and are still, detaining the Deeds of land leased by our Countrymen, which were sent according to custom, to the proper officer for his Seal to be attached, thus subjecting the parties to great Expence, and greater inconvenience by preventing them from going with buildings, absolutely necessary to the successful operations of trade. My respectful Communications remain unnoticed for weeks together, and when noticed at all in the most unsatisfactory manner. Promises solemnly made by the Prefect, are broken without the slightest hesitation, and what I conceive to have been a National insult (the attack upon the Officers of the "Vandalia") treated with as little regard as the Complaint I made to the Prefect of a gross insult offered to a member of my own family.

Such are a few of the Complaints I have to make against the Authorities here, and if they are to continue, I know that you will agree with me, that the post of honor is not the public station. I shall continue my Efforts

as

as heretofore, but I sincerely hope that you will at the earliest possible moment, Consistent with your other public duties, visit this port.

With highest Respect
Believe me dear Sir
Most truly Yours
(signed) Caleb James
United States Consul

To
His Excellency
Peter Parker
United States Commissioner
Canton
China.

Rec'd July Mr Derrick

Legation of the United States
Macao 1 March 1856.

No 7. Correspondence of 1855

Hon W L Marcy
Secretary of State,

Sir,

I have the honor to transmit you balance of Correspondence of this Legation for 1855. which the circumstances under which I left China in May last did not permit me to attend to at that time.

Several of the subjects are not get disposed of, but that they may be placed on the files of the Department, in due Chronological order, I transmit them without delay.

A schedule of the Exhibits is appended. Having had the honor of confering with you in person upon the subject of the illegal use & abuse of the United States flag I here make no comments, simply inviting your attention to the correspondence of R. S. Sturgis Esq. late Vice Consul at Canton. (Exhibit A). The subject is now receiving special attention. I have the honor to remain

Very Respectfully
Your Obt. Servent
Peter Parker

Depositions Exhibit

Schedule.

No.					
No 1		P. Parker to Hon: W. L. Marcy.	Mar.	1	1854
	A.	R. S. Stargis to P. P.	"	31	1854
		Do to Comr. J. Abbot	"	26	"
		Comr Abbot to R. S. S.	"	27	"
		R. S. S. to Comr Abbot	"	28	"
		Comr Abbot to R. S. S.	"	28	"
	B	A. Heard Jr to P. P. (Memorial)	"	27	"
		Capt J. Smith to A. Heard Jr. (Do)	"	30	1854
		Affidavits to R. C. Murphy (Do)	"	27	"
		Certificate of Survey (Do)	"	30	"
		R. C. Murphy to Capt. Smith (Do)	May	29	"
		Do. to A. Heard Jr (Do)	March	6	1855
	C	Nye Brothers Jr. to P. Parker (Petition for Jail & Stag - Hounds)	"	29	"
		Bull Nye Jr. to Inspector of Customs	Feb	10	"
	D	P. Parker to R. M. McLane	April	12	"
		Do. to J. Miller, Boston	"	12	"
		Do. to R. C. Murphy	"	30	"
		Do to Comr. J. Abbot	"	30	"
		Do to Imperial Comr. Yei	May	4	"
		Imperial Comr. Yei to P. Parker	"	5	"
		D. B. McCarter to P. P. (Petition)	March	24	"
		H. G. Jr. Heard to R. M. M & P. P.	Feb		"

Exhibit A. Despatch No. 7.

Consulate U. S. America
Canton, China March 31st 1855

Sir,

Enclosed I beg to hand you copies of a correspondence between Comdr. Abbot and myself relative to the "Rapid," together with certificate under which she sailed, and as he has acted under your advice in the case, I would respectfully request you will forward the same to our government at Washington with this communication.

Had Comdr. Abbot had more experience in these waters & informed himself more fully on the course of policy followed by American officials since the treaty was negotiated, I should have sent a rejoinder to his final note, endeavoring to prove to him that the Lorcha in question had committed no violation of that Treaty, & that no complaint had been entered against her; but I conceive further correspondence on the subject would have been useless, and I address myself to you, in the form of protest against what appears

a

a signal injustice to the owner of the Lorcha in question, at a period when with the full knowledge of himself as well as the Comdg Naval Officer the river is covered with boats of all classes, committing the same act under the same flag without permission of any kind, and without the least interference on the part of himself or the Commodore.

In connection with this subject I may state that until the 6th of June, when I advised you that the trade of this port had been finally and completely stopped during the previous forty eight hours by the Cadrones, neither himself or Comde Abbot had taken any measures to insure safe transit from Canton to Whampoa although repeated piracies had been committed; and there was no other recourse but to grant the flag to Chinese boats of all classes conveying American property in accordance with the previous usage at Shanghai, at which port Capt Walker of the U. S. S. Saratoga had

been

been obliged to support these flags by the most forcible measures, and his policy has since been adhered to by Capt Pope of the "Tandalia", both of those Commanders fully recognizing the imperative necessity that existed for this system in the absence of definite instructions from the home government, and in which they were subsequently upheld by Mr. McLane.

In further proof of the injustice that I protest against in the case of the Lorcha in question, I assert most distinctly that both yourself & Comdr. Abbot have been for a long time aware that the Amr. Stmr. "Spark" has made repeated trips to the interior as in the instance of the "Rapid", and that you had every reason to suppose the Steamer was engaged in a trade with people there connected with the bands now clearly proved to have been pirates / but to whom you have extended the more honorable term of "Rebels" / and yet without question from

from the Comd.r & yourself; while you now deprive the owner of the "Rapid" of his flag, although you have the convincing proof of his actual Capture by them that he was not connected with the "ladrones," and from whom the "Macedonian" subsequently released him.

In conclusion, I congratulate the American Merchants here, upon the fact that the Imperial forces have at last brought to an end the disturbances that have prevailed in our immediate neighborhood as I deem the policy pursued by yourself & Comd.r Abbot to be of the most dangerous tendency, and I believe it to have resulted in impressing the Chinese about us with the conviction that our Naval forces are of no use, and that our diplomatists are unable to provide for our safety under such emergencies as may occur; however far from the facts, we know their opinion may have led them.

I would refer you to the minutes of the meeting of the Canton Merchants at this Consulate on the

Second

record of January; and to the letter addressed by the Shanghai Merchants to Commander Pope of the U. S. S. "Vandalia" with a mark of their appreciation of his services; (on his departure from that port) as a means of arriving at the opinion of the Amn. residents in China, on the respective policies adopted at the two ports.

I am Very Respectfully
Your Obed. Servt.
(Signed) Robt. S. Sturgis
Vice Consul U. S. A.

To
Dr. Peter Parker
Acting U. S. Commissioner
Canton

No. 1

N

Hong Kong March 26th 1856.

Sir,

Having been absent from Canton for some days, and now arriving here on my return to my Consulate, I am informed that Lieut Preble of the "Queen" at present under your orders, has held possession of a lorcha that had provided with an American flag and only released her on condition that the Captain gave his assurance that the flag should not be again hoisted on board.

The lorcha in question was the property of a citizen of the United States, and I held her bill of sale as security that she should not be employed in any illegal trade and in giving her permission to fly the American flag I fully pointed out to her owner that it gave his vessel none of the rights of American tonnage under our navigation laws, and no claim for protection by our men of war further than was accorded to all craft at present employed in the

Canton

Canton river in connexion with Amer-
-ican trade and interests.

In fact, that big flag was merely to indicate that she was American property, and my certificate stated that she was to fly the flag only in the Canton river, it being absolutely necessary that every American who embarks on the river during the present state of affairs should be under the protection of his own or other foreign flag, for his personal safety; - whether in a schooner, lorcha, or however small the boat employed may be or however short the distance he may require to move.

The flag has been employed for this protection by all the Consuls in China with full support of the men o'war English & American during the past eighteen months, and may I request that you will give me the facts of the case to which I refer so far as Lieut. Preble's action in the matter is concerned, that I may understand where

the

the responsibility of his act rests; a heavy pecuniary loss having followed the loss of the flag, and meanwhile Capt. Preble having assumed the right to cancel my official acts, if I am correctly informed.

I shall be in Canton on the 29th inst. and should postpone addressing you on this subject until arriving there, but am induced to do so now as I hear you are about leaving for the North.

I remain
Very Respectfully
Your obt. Servt
/Signed/ Robt. S. Sturgis
U. S. Vice Consul of Canton

To,
Comdr. Jacob Abbot
Comdg U. S. E. India Squadron
Macedonian
Hong Kong

No. 2. 3

U. S. Flag Ship "Macedonian"
Hong Kong, March 27th 1855

Sir,

Your Communication dated yesterday has been received by me today, in reply to which I respectfully remark that the detention of the lorcha called the "Rapid" to which I suppose you refer, which I caused to be rescued from the Rebels, finding she had been violating our treaty with China, and was using the Amr. Flag by a permit which I considered illegal and improper. I referred the matter of the legality and of her right to the use of the Amr. Flag to the decision of the Acting U. S. Commissioner to China, Hon: Dr. P. Parker; and my action forbidding the Amr. Flag to be used on board said lorcha was based upon his decision.

I have also made this case known to the Hon: Secty of the Navy that I may have his instructions to guide and govern me in all similar cases.

So

So far as Lieut Pebles action in the matter is concerned, it has been duly and properly exercised by my express orders.

I remain, very respectfy
Your obed.t Servt
(Sd) Josh Abbot
Comdg U. S. E. India
Squadron

To,
Robert S. Stuyvesant Esq
U. S. Vice Consul of Canton
Hong Kong

No. 3

Hong Kong March 28th 1855

Sir,

I thank you for your communication of yesterday in reply to mine of 26th inst. and while I regret that I had not been in Canton to fine the Captain of the "Rapid," who's papers I held in the Consulate, it appears that his having "violated our treaty with China" was a perfectly good reason for depriving him of the flag, and may I inquire what was the nature of that violation of the treaty and if it was brought to the notice of Dr Parker, the American Acting Minister.

I note that the Acting Minister considered the permit I had granted, as illegal and improper and shall have the honor of addressing him on the subject on my return to Canton to morrow.

I remain &c
(Sgd) Rob. S. Sturgis
U. S. Vice Consul of Canton

To,
Comdr
Joel Abbot
&c &c &c

No. 4

Spring Gardens
Hong Kong, Evening of March 28th
1855

Sir,

In reply to your note of this date, this evening recd, I have to state that the nature of the violation of the treaty of the U. S. with China, by the lorcha "Rapid" to which you allude was in her trading and going up the Creeks and rivers into the interior in a manner not authorized by said treaty.

These facts I communicated to Dr. Parker.

In haste that this may reach you this evening.

I am, Very Respectfully
Your Obt Servt
(Sgd) Joel Abbot
Comdg U.S. E. India
Squadron

To,
Robt. S. Stuyvesant Esq
U.S. Vice Consul of Canton
Club House
Hong Kong

Exhibit B. Despatch No. 1.

Canton, March 24th 1855.

We beg to wait upon you with copies of sundry documents referring to a claim made upon the Chinese Government by our friends at Shanghai, to recover the sum of Three Thousand one hundred & twenty five dollars with interest from the 30th March 1854, being the amount of damages sustained by the American Barque "Mermaid" of Boston, by a Collision with the Chinese Ship "Sir Herbert Compton" in the port of Shanghai.

We have been unable to the present time to obtain remuneration for the damages above to, and now have to submit the case to your Excellency, craving your kind care of our interests as Agents of the owners of the "Mermaid."

We enclose Copies of two survey reports upon the vessel with letters from the Master and Mr. Murphy, U. S. Consul, and referring to same for full particulars of the claim, remain

Your Obed.t Servts

/Signed/ Augustine Heard & Co

To Hon: Peter Parker

Acty Commissioner U. S. America

Canton

Shanghai, March 30th 1854

Messrs Augustine Heard & Co

Gentlemen,

Previous to my departure from Shanghai, I submit to you a copy of the Surveyors report appointed by the U. S. Consul, also a copy of the Surveyors report appointed by me, and an abstract from log book as follows.

Upon the afternoon of March 26th His Imperial Majesty's Ship "Compton" drifted athwart our bows carrying away Bowsprit, Jib & Flying Jib booms, Cutwater &c &c. At 8 PM. the first officer & eight men at the request of Master of the Compton, went from the Mermaid on board said Ship; At the same time received an officer & 15 men from H. B. Ship Plymouth to assist us. At midnight upon change of tide the Compton drifted clear of us and the men called to their respective Ships.

For particulars of damage I refer you to the Reports. In the report called by me the labor bill

has

has been reported with other damage, which was not done on the report called by the Consul, believing that I have acted as is usual in such cases & going to sea tomorrow, without having made a settlement with the other parties, I leave you as Agents of the Barque "Mermaid" to prosecute the claim.

I remain Gentlemen
Your Obt Servt
[Signed] Geo: J. E. Smith
Commander Bark
"Mermaid"

Shanghai March 27th 1861.

Hon:
R. C. Murphy
U. S. Consul

Dear Sir,

This is to certify that we the undersigned at your request repaired on board the U. S. Barque "Mermaid," Smith, Master, for the purpose of surveying & approximating the amount of damages received by said Barque, caused by collision with

Ship

Ship "Compton" they leave to make the following Report.

Upon examination we find the jib & flying jib booms completely gone with all the Iron work attached – will require new.

Bowsprit end carried away & split in the centre, in wake of Bobstay Bolts. Cap also split – both require to be new.

Cutwater completely shattered – require new. Figure head & both Nail boards completely gone – require to be new.

Jib Stay, Fore top Galt do, Royal do, preventa Jib & Flying Jib & Martingale Stays gone – all require to be new.

And after a careful estimate give as our opinion it will cost Three thousand dollars to place the Bark "Mermaid" in same condition as she was before the Ship Compton drifted afoul of her.

Signed by the	I.W. Dearborn
U.S. Consul	Geo. E. Williams
from copy in	Wash D. Bell
his	James Rogers
possession	

9

Shanghai 30th March 1854

This is to certify that we the under-signed at the request of Capt Smith have formed a Board of Survey to examine & ascertain the amount of damages sustained by the American Bark "Mermaid" caused by collision with His Imperial Majesty's Ship Compton, & submit to him the following report.

The Cutwater entirely gone and require to be new. Figure head, rail boards & head knees entirely gone & require to be new. Dib & Flying Dib booms, Bowsprit Cap with the Bowsprit, Dib & Flying Dib & Flying Dib boom rigging with Iron work attached, excepting bands for Dib boom, all other require to be new. & have examined his voucher for money paid by him for a pilot and whilst in collision with said Ship. We have estimated the amount of dam-ages sustained by the aforesaid Barque Mermaid to be Three thousand one hundred & twenty five dollars.

/Signed/

/Signed/ C.H. Rabbitt
Carpenter U.S.S. Plymouth
" — Wm. Smith
Boatswain " — " —
" — A. Morris
Master Brit. Ship Hampshire

10 Copy.

To Capt. Smith U.S. Constable, Shanghae
Am. B. Mermaid May 29th 1854

Sir:

The Amount tendered by the Board of Survey as a fair compensation for the damages sustained by the collision of the Chinese vessel & ours, I have attempted to recover for you, but the low state of the Taoutai's exchequer has rendered it impossible to get anything.

In consultation with H.B. Mr. M'Leavy I am advised to resist till an opportunity offers to discuss the amount from claims arising the Chinese Government. On this I shall act.

Pay Respectfully
Your Obt Servt
(Signed) R. C. Murphy
Comd U.S.S.

11

Shanghai, March 6th 1855.

Gentlemen,

I am in receipt of your letter wishing to know what action I have taken and its results in relation to the damage done to the American Barque Mermaid &c. &c.

In reply I have to state that I have had much correspondence with the Chinese Authorities on the subject, and because the ship "Sir H. Compton" which inflicted the injury belonged to an individual of China, and not the Government the local officers decline to settle the claim.

Therefore in accordance with the instructions of His Excellency R.M. McLane in such cases, I shall be obliged to audit the claim in this office, and then transmit it to the U. S. Legation at Canton which I shall do at the earliest possible moment.

Very Respectfully

Your

Your most obed.t Servt
/Signed/ R. C. Murphy
Consul U. S. A

Mess.rs A. Heard & Co
Shanghai

Exhibit C Doc. No. 7.

12

Canton, March 29th 1855.

Sir,

We beg to represent to you that, contrary to the previous custom of the Chinese Authorities, the Inspectors of the Maratime Customs of the Imperial Government at Shanghai, have exacted Port Charges upon the ships Nightingale and Staghound at that Port, although they loaded at this port for that direct and paid here the said charge /Tonnage Dues/ the receipts for which were sent to Shanghai.

Port charges

We hand you copy of the Protest of our Shanghai firm in the Case of the Nightingale; the Staghound's business not being closed we are not able to hand that.

We remain, Sir

Your Obed't Servts

/Signed/ Nyk Brothers & Co

To/

His Excellency

The Commissioner of the United States to China.

13

Shanghai, 10th Feby 1855.

To the Inspector of
Maritime Customs
Shanghai.

Sirs,

I am handing you the amount of Five hundred & thirty three taels claimed for tonnage dues on the H. B. Ships "Nightingale", for solemnly protest against this demand as being in contravention with Treaty rights, she having already paid Tonnage dues at the Port of Canton.

We remain Sirs,
Your Obedt Servts
/Signed/ Bell, Myers & Co

Exhibit E. Despatch No. 7. 14

Macao, 12th April 1855

My Dear Sir,

It is with extreme regret I have to inform you that such has become the state of my health that my Medical advisers have apprised me that in their opinion there remains but one alternative, entire cessation from care and a change of Climate, or total prostration of body and mind. The past few weeks I have been a great sufferer from the old affection of the kidneys, accompanied with extreme nervous prostration. A Copy of the Medical Certificate is enclosed, and the same will be transmitted to the State Department at Washington by this Mail. In the event of my being compelled to leave before Your Excellency's returns, which may be by the Mail of 15th May, I shall request Commodore Abbot in the interim to attend to such matters affecting our Government & its Citizens in China as demand immediate

immediate Consideration. I am happy however to inform You that the Exigencies of the Public Service are less urgent than when You left. The Imperial Authority is reinstated at Shanghai & we have the prospect of more quiet at the City of Canton for some months to come.

I beg to repeat to You my conviction of the urgent necessity of supplying the Consulate at Canton with a full Consul without delay.

I remain, Dear Sir,
Your Obedt Servt
(signed) Robt Parkes

To/
H. E. R. Gr. Esq.
&c &c &c

Legation of the United States
Macao, 12th April 1855

Sir,

Your favor of 19th January addressed to H.E. R.M. McLane enclosing your accounts for the last two years has been duly received. Before this you will have seen H.E. & should he not have settled with you, the subject shall receive my attention at an early date.

Under the expectation that owing to the state of my health I may be compelled to leave China by the steamer of the 15th proximo, I have to request that all letters to my address or for Mrs Parker you will retain till further advised.

I have the honor to be
Sir,
Your Respectfully
Obt. Servt
(Signed) Peter Parker

John Miller Esq
&c — &c — &c

Legation of the United States
Canton 30th April 1855.

Sir.

The state of my health will permit me to address you but briefly.

By this Mail I have received a communication from His Excellency Mr Mc Lane, informing me of his contemplated return to China by the Steamer that leave Europe Early in April. Messrs Heard & Co have handed me for perusal, copies of the correspondance had with you, relative to the question of duties, and as Mr McLane will so soon return to China, I have to request that you will defer any further action in the premises until his arrival.

Your private Dispatch of the 4th instant has been duly received. It was my intention to have taken the responsibility of settling the claims for printing &c against Mr McLane, but in view of his Early arrival here I shall defer the matter for his adjustment.

I am compelled by the very serious state of my health to leave China, by the outgoing Mail, and have requested Commodore Abbot to meet any emergency that may arise, affecting the public interests of our Government in China, until the arrival of Mr.

McLane.

M.c Lane.

With best regards to Mrs Murphy and yourself. I remain

Very Respectfully
Your Obedient Servant
(Signed) Peter Parker
Acting Commissioner &c
China

To)
R. C. Murphy Esq.
U. S. Consul.
Shanghae.

Legation of the United States
Canton, 30th April 1856

Sir,

By this mail I have received a communication from His Excellency R. M. McLane, in which he desires me to impress upon his "hope that you will so dispose of the forces under your command, as to have the Powhatan at Hong Kong on the arrival of the mail that leaves Europe early in April" at which time His Excellency contemplates returning to China. The state of my health compelling me to leave this country by the outgoing mail I have to request that if by any circumstance His Excellency should be delayed in returning, you will meet any Emergency that may arise in the interim, affecting the interests of the Government or Citizens of the United States in China.

With pleasant recollections

of

of our personal and official intercourse, and with my best wishes for your health and happiness.

I have the honor to remain
Very respectfully
Your obt. Servt.
(Signed) Peter Parker
Actg U.S. Commissioner &c

Commodore,
Joel Abbot
Comdg U.S. Naval Forces
China &c Seas
U.S. Flag Ship "Macedonian"
Shanghai

Legation of the United States
Canton, 4th May 1855

Sir,

It becomes my duty to inform you that the state of my health requiring me to leave China, I contemplate leaving by the steamer of the 10th inst. Late intelligence from His Excellency Robt. M. McLane, leads me to anticipate his return in about one month; in the meantime Commodore Abbot will meet any emergency that may occur affecting the two Governments.

With sentiments of distinguished consideration,

I have the honor to remain
Your Excellency's
Obedient Servant
/Signed/ Peter Parker
Acting Commissioner &
Chargé d'Affairs of the
United States of America
to China

/L. S./

To,
His Excellency
Yeh
Imperial High Commissioner
&c — &c — &c

/L. S./

Yë Imperial Commissioner, Guardian of the Heir apparent, President of the Board of War, Governor General of the Two Kwang Provinces &c. &c. &c. has the honor to acknowledge the receipt of Your dispatch of the 4th instant stating that You the Honorable Vice Commissioner is about to set out on Your journey to return to the United States that His Excellency Mr. Lane will return to Canton; and that in the mean time Commodore Abbot will meet any emergency that may occur affecting the two governments &c. All of which I have perused and fully understand.

I avail myself of this opportunity to wish You a prosperous journey.

To

His Excellency P. Parker.

Acting Commissioner and Chargé de affaires of the United States of America to China.

Hien-fung 5th year 3rd month 21st day.

(15th May 1855.)

Ningpo China 24th March 1855.

Sir.

I have the honor herewith to transmit a copy of a reply sent by me to His Excellency the Chinese Intendant at this place, from which it will I think be evident that the Chinese officers have acted in direct contravention of the treaties, and that the lives of foreigners residing here are not safe, while such things are allowed to be done, and I most earnestly and respectfully suggest the propriety of a strong remonstrance being addressed to the high officers on the subject and the visit of a vessel of war to this place to enforce the giving of an assurance on the part of the Chinese officers that such a course of conduct will not be repeated. The two men arrested were neither of them Americans as I have ascertained by diligent inquiry from those who knew them, but British subjects, one of them the notorious Eldridge, and the other a deserter from H. B. M. S. Encounter named Tom _____, and both were engaged with the rebels. Yet the Chinese officers seem to think they would have been justified in acting as they have done

To

The Hon. Peter Parker.

U. S. Charge de affaires.

&c. &c.

have done if they were Americans who were arrested. The men were attacked with swords and spears and very badly wounded before they had any opportunity to resist. The authorities say there are others (foreigners) yet to be arrested and what security is there that some one of our number entirely innocent of any offence may not be set upon, severely wounded, and sent off in a cage to Hangchau or Suchau before any one else could ascertain or interfere in the matter. The foreigners who were associated with the rebels at Shanghai or at least several of them are now on board Cantonese pirate junks in the neighborhood of Chinhai and Chusan. They were seen by an American Missionary the Rev. E. C. Lord, who was unable to get a boat to leave the latter place until he had gone on board one of the principle head junks and represented that he had nothing worth plundering on board his boat and was allowed to leave for Ningpo. The pirates are becoming more and more audacious and yesterday morning two foreign rigged boats from Shanghai were captured between Chinhai and Lookong but to whom they belonged has not been ascertained. The Cantonese in the pay of the Intendant are known to be Thieves

and

and have also been seen fraternizing with foreigners known to be connected with the Shanghai rebels. If these miscreants therefore are leading on the pirates in the neighborhood of this place it is greatly to be feared that they may be tempted to some more desperate deeds than they have yet ventured upon, and in case of an attack upon this city, the Cantonese in the pay of the Intendant would join them without doubt.

My intended departure having been delayed much longer than I had expected, and no successor having arrived, added to the fact that the authorities had addressed me on the subject notwithstanding I had notified them of my resignation. I felt justified in replying and protesting against their proceedings.

I have the honor to be

Sir

Very Respectfully

Your Obedient Servant

D. B. M.c Castee.

Lately Acting Consul U. S. A.

Keih-urh-hang-ah, Governor of Kiang-su, Vice President of the Board of War &c. &c. &c. makes the following communication.

Whereas since Lin Lee-chiün and others rebels of Fuh-kien and Kwang-tung have clandestinely usurped the City of Shang-hai; because Ying-king-ping and its vicinity being a place where officers and merchants of all nations reside, we were afraid that shots of muskets and cannons may reach there, houses and human lives will thus be injured, therefore in our first decision, no Imperial troops were allow to go thither, then, there were traitorous parties of the inner land, privately concealed themselves in Ying-king-ping, who viciously united with those wandering people of foreign nations, to supply (the rebels) with provisions, gunpowder, cannons and arms, so that though they have been besieged a long time, but unable to suppress, both merchants and people of the inner land and foreigners as all suffered their injuries exceedingly. Happily, You the Hon: Minister arrived at Shang-hai, together with me, the Lieut. Governor with harmonious mind, consulted thoroughly, and uniting with the two Governments French and English, we fixed our deliberation according to different parts (around the city) a wall to be built, to stop all supplies.

After

After the return of Your Excellency and Your Suite with you, Murphy, the Consul of Your Hon: Nation, immediately, together with the Marine officer Pope, arranged with their whole strength, that at San-mun-kok and thereabout, a wall of stoppage should be built.

At the same time, I also consulted, and agreed with the British Consul Alcock, who willing for the present yielded the southern part of the Race Course, so that a fence may be made, and a mud wall may be heaped up, for to move our Camps to press near (to the city) there to stop the important passage through the Wooden Bridge of the Chin Family.

Since the above (being done) both those of the Inner land and Foreigners have all became as one family, this conforms exceedingly with what is contained in the Treaty of ten thousand years; (in this way) all supplies have been totally stopped, and the state of the rebels appears quite embarrassed.

On the night of the first day of the present year, our Imperial troops upon hearing the drum being once beaten, they all ascended the city wall, thus, the city been retaken by us.

At this time, whilst our troops were divided to pursue after (those rebels who try to escape)

escape) we have in this battle, killed Lin Lee-chun, the Chief of the Rebels; and in inside of the city, we arrested alive the impotant Rebel Seay Ngan-ping. Other rebels of Fuh-kien and Kwang-tung, whom we killed exceeded one thousand. Moreover when we searched the city, we found more than three thousand corpses of rebels that were killed in battle. Taking the above amount among all those who follow the rebels, $\frac{8}{10}$ or $\frac{9}{10}$ have been killed. By the above, those parts of country near here, have all been cleared, human hearts all feel exceedingly easy. Both merchants and people Chinese and Foreigners have with one united voice, exclaimed of their own pleasure.

There remains what is to be done now: viz to console those suffering people, and to consult for what is best to do for their future happiness.

All the preceding are the effects of Your Excellencies's supereminent wisdom and knowledge, strongly adhering to what is just and upright, determined that a wall should be built to stop all supplies. Therefore, while I, the Lieut Governor feel joyful and comfortable, much more, I feel grateful, and engraved all my thanks to You deeply into my mind.

Hereafter, all people will enjoy advantage, the commerce daily advance, and

the

the commerce daily advance. and the friendship between our two Countries will be more firm and strong, which is what I. the Lieut. Governor most heartily desire.

Specially for these ends. I now communicate with Your Excellencies. Pleas let the same be examined and enacted. May the above reach him to whom this is communicated.

To His Excellency

M.c Lane Minister &c &c.

P. Parker Acting Commissioner &c &c.

Hien-fung 5.th year 1.st month 20.th day.

No. 6. Recd 24. May. Mr Gerrish

dis

United States Legation
Canton 11th March 1856.

His Excellency
Wm L. Marcy
Secretary of State, Washington.

Sir.

I have the honor herewith to enclose several documents furnished me by His Excellency the Governor of Macao with the request they may be placed with other papers relating to the subject of the Coolie Trade, forwarded in my last despatch.

By the next Mail I shall forward the voluminous correspondence of the past month which I am unable to transmit by the present opportunity.

I have the honor to remain
Sir
Very Respectfully
Your Obedient Servant
Peter Parker

Order No 45

The Governor of the Province of Macao, Timor, and Solor determine the following.

It is deemed convenient to regulate the shipment of the Chinese husbandmen or Emigrants, that leaves this Port, so as to combine the Commercial interest of this Establishment with such measures as the humanity and public feeling require.
Having heard the council of Government, I deem it proper to ordain.

1st The agents that ship and send off the Emigrants, has to inform the local Governor, the place intended to keep the men, their number, and the ship or ships engaged to take them away.
2nd The agents are bound to keep the sick men in separate departments, and those that are by motives rejected, should be attended to till they are sent back to their respective places where they came.
3rd The Provincial Surgeon, either by himself, or with the assistance of other Surgeons that forms the Committee of health must often go & inspect the places where the selected emigrants for sending away, are kept, as well as the rejected ones, till they are sent away.
4th The Surgeon employed by the agents to attend upon the Emigrants must report to the

Government

government the manner in which he does his duties at the Establishment, also of any circumstances which he think might injure the Public health.

5th The agents of the Emigrants must send to the government a copy of the Regulations of this Establishment.

6th The Harbor Master must examine the vessels before leaving, whether she has the capacity to take on board such number of Chinese Emigrant as reported, and to inspect the Provision and water if sufficient in proportion for the voyage

7th The agents for the transport of Emigrants are bound to clear away from the city such Chinese that are rejected, and untill they are sent away, they must be fed and receive treatment when sick. For each of the Emigrant Chinaman found vagrant in this city, the agent will pay a fine of $5. leaving the Agent to work against the China broker for infringment of this Article.

The authorities to whom the knowledge and execution of this order belong, must attend to accordingly. Macao. 12th Sept. 1853.

(Signed)

Isidoro Francisco Guimaraes

Edict

The Governor of the Province of Macao Timor & Solor
Isidoro Francisco Guimarães of His Faithful Majesty's
Council and Commissioner Plenipotentiary in China,
Commander of the order of Sm Bento de Aviz &
Knight of the orders of Christ and of the Conception
and of the Old & Most Noble order of the Tower
and Sword for courage, Loyalty and Merit.
Commander in his Majesty's Navy &c.&c.

It has come to my knowledge that Wang the
Vice Roy of the Province of Fookien and Chekeang
having issued a proclamation respecting foreigners
engaged in the purchase of Chinese Children with
the view to trade with them, sending to foreign
Countries, and as it is necessary to use every
means to check such hideous proceedings, I deem
it proper to make it known to all the Consuls & other
Portuguese Authorities established at the Ports on the
South of China, where it is said trade is carrying on,
to prosecute against any of the Portuguese subjects
engaged therein and to act in full power of the law
that prohibit the Slave Trade.

In order to make it known to all, this Edict
shall be published both in Portuguese & Chinese languages,
and shall be fixed at the customary places here & in
every port in China where Portuguese Authorities
are found. Macao 14th July 1855.

(Signed) Isidoro Francisco Guimarães

No. 68.

The Governor of the Province of Macao Timor and Solor, determine the following.

It being necessary for the Government to use every means to keep undisturbed the business that is doing at this Port regarding the shipment of Chinese laborers for the Colonies of various nations that comes hither to procure hands for cultivation of their lands, and to avoid any abuses that might take place, by shipping off the Chinese against their will, or unfair dealings with them respecting the places of their destination, and the sort of work that they have to do there &c. It is deemed Convenient to order that, besides the result of the 12th Sept. 1853 are to observe the following.

1st All contracts made between the Chinese Emigrants for the foreign ports and the person that ship them off from this place, and the Emigration Agents at Macao, must be registered before Procurador, in the same manner as every other contract done between the Chinese, or the Chinese and Christians, such Register must be made before the parties interested, and two witnesses.

2nd The Procurador on his frequent visit to the Establishment for the Emigrants, shall scrupulously inquire among them, if there are any

that

that against their will, or cheated to go to other destination in the ship. If found out any that has been forced or cheated, will immediately order the man out of deposit, and proceeded against the broker that cheated him.

A visit according to the above Article, must always take place one day before the day of embarkation, and cannot be without, therefore the agents must give due notice to the Procurador.

4th The Harbor Master to attend besides the result of the 12th of Sept. 1853 to inform after the embarkation of the Chinese, if he found any on board that is shipped against his will, or in any way cheated, should any be found on board, to bond immediately and inform the Government of the circumstances of the case so as to proceed conveniently.

5th The disposition of the Articles 2nd & 4th are not to be understood with respect to those Chinese who often had formed the Contract to embark as Government Article 1st, and having received advances, and caused many expenses to the Agents, and will and will not go on the voyage, because, they are obliged to fulfill their Contracts as done voluntarily.

It is highly recommended the observance of the Article 2nd of the result of the 12th of Sept. 1853 respecting

Medical

Medical attendance on the sick Chinamen and to transport the refused ones to their native places.

The Authorities to whom the knowledge & execution of this order belong, shall attend to accordingly.

Macao 10th November 1855.

(Signed) Isidoro Francisco Guimarães

Portuguese Enactments & Regulations respecting "Coolies", translated from the Portuguese Government Gazette.

Regulation for the Establishment of the Emigrants.

Upon receipt of my first notice, signed by me, the keeper of the establishment will place the Chinese under the shade next to the Wharf gate, for the purpose of being examined by the Doctor.

After the examination, the keeper of the establishment will grant a receipt for the number of men he received, he has to date and sign the same with the overseer, and the Surgeon, which receipt to be sent to me, a copy of the same to be taken or written in the Brokers book. The rejected Chinamen to be sent out of the premises immediately.

The Chinese that were examined must be taken alongside the wall to wash and have their heads shaved, giving them each a suit of clothes, a neptin, a string for the hair, a comb and a tooth brush, and make them wash immediately their old rags, when dry to be kept aside for the purpose of cleaning their places.

The Chinese inspected by the Doctor and received

received into the Establishment shall be considered as Emigrants, and to be under salary soon as they are numbered by a piece of lead hanging to the necks.

The Chinese received in the Establishment will have to attend to the following order.

From 5 to 6 o'clock A.M. as weather permit, will have to rise and wash themselves till 6 o'c a.m. When they will take either tea or Pumkin water, on Sundays Rice Congee, they have to clean their beds and sweep the floor, clean the privy &c. from 7 to 8 A.M.

Breakfast promptly at 8 o'clock. After breakfast they are to be left at pleasure till 9 o'clock when their work commence and leave off at noon, and from one o'clock they will work till 3 P.M. and leave off at 4 to clean

Dinner promptly at 4 o'clock.
After dinner they are to be left at pleasure, and to make some gymnastic exercises, till 7 o'clock P.M. when they will wash and clean themselves, and put on their shoes ready to turn in.

The Chinese at their bed places are not allowed to smoke or make noise, if they do it shall be reason reprimand.

The

The daily food for the Chinese, is regulated in the follow manner viz.

Sunday - Cooling - Rice Congee - Breakfast - fresh fish and vegetables. Dinner pork and vegetables.

Monday. Cooling - punkin water - Breakfast, salt fish and vegetables. Dinner fresh fish and vegetables.

Tuesday - Cooling - Tea - Breakfast fresh fish and vegetables. Dinner fresh fish and vegetables.

Wednesday - Cooling - Tea - Breakfast fresh fish and vegetables. Dinner salt fish & vegetables.

Thursday - Cooling - punkin water - Breakfast, beef and vegetables. Dinner fresh fish & vegetables

Friday. Cooling - Tea. Breakfast, salt fish & vegetables. Dinner fresh fish & vegetables.

Saturday - Cooling - punkin water, Breakfast fresh fish and vegetables. Dinner fresh fish & vegetables.

For each Chinaman, each meal, is to be one measure of Rice, 2 taels of Pork or Beef, 3 taels of salt fish, 4 taels of fresh fish - and half Catty of vegetables. The Chinese to mess six in number. and each mess to have a straw mat, a basket and ladle for rice. 2 dishes for meat, fish & vegetables 6 cups. 6 pairs of Chopsticks. 2 Chinese Spoons.

2

2 tubs to wash hand & clothes, which are to be kept and stowed away after use.

The ration for the Chinese are regulated after the examination had taken place, and the quantity distributed for one dinner, the same portion is prepared for the next days breakfast.

The use of Opium are not allowed in this Establishment, nor any kind of gambling, any one assisting to make use of them vices, shall be turned out of the house and delivered over to the authorities for severe punishment.

The daily work of the Chinese, will be pointed out by the Keeper of the Establishment, and according to their labor they are paid for No 1 - 20 cash, No 2 - 15. and No 3 - 10 cash. and in the same manner on gymnastic exercises for the heavy man 4 cash - the others 3 cash and 2 cash each.

In default of work, the Chinese will be noted with No 1. 2. 3. as marked in the Chinese regulations to be punished by not allowing them their cash, which otherwise would have had.

Macao 22nd August 1853.

(Signed)

José Vicente Jorge